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Author:

New York (State)

Title:

**Fourth report of the
Factory...V. 4-5 of 5**

Place:

Albany

Date:

1915

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BUSINESS

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1915

New York (State) *Factory investigating commission.*
... Fourth report of the Factory investigating commission,
1915 ... Transmitted to the Legislature February 15, 1915.
Albany, J. B. Lyon company, printers, 1915.
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Robert F. Wagner, chairman.
"Dissenting report by Laurence M. D. McGuire" and "Reply to dis-
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CONTENTS.

I. Report. Appendices: i. Bills recommended by commission. II. Briefs submitted by commission. III. Memoranda on the relationship between low wages and the vice problems. Questionnaire on the wage problem. Symposium on the minimum wage problem. Industrial education and wages. Consolidation of departments inspecting buildings in New York city. List of questions on fire hazard in mercantile establishments. Study of hotel laundries.

(Continued on next card)

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BUSINESS

262

N4876

4

1915

New York (State) *Factory investigating commission.* ...
Fourth report ... 1915. (Card 2)

CONTENTS—Continued.

II. Appendix iv. Report of wage investigation.—III. Appendix v. Statistical tables, supplementary to Report of general wage investigation.—IV. Appendices: vi. Relationship between industrial education and wages. VII. Cost of living in New York state. VIII. Wage regulation in Australia.—V. Testimony given at hearings held to consider the subjects of consolidation of departments in New York city and wages and wage legislation (Apr. 18, 1914-Jan. 22, 1915)

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A horizontal line representing a beam of length 100 mm. At the right end, there is a vertical line with a triangle pointing to it, indicating a fixed support. The text "100 mm" is written vertically to the left of the beam.

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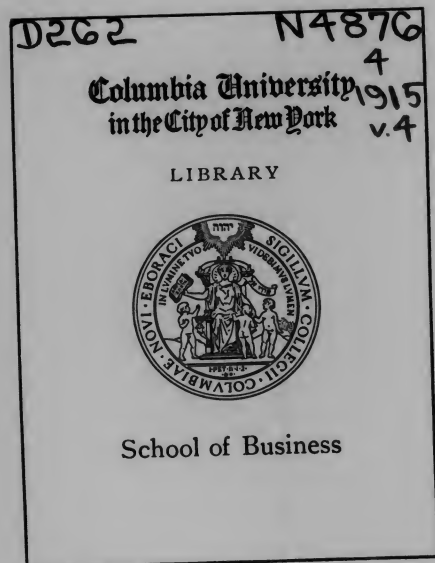
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Volume 4



Dr. Sidney

JUL 25 1940

STATE OF NEW YORK

FOURTH REPORT

OF THE

FACTORY INVESTIGATING COMMISSION

1915

VOLUME IV

APPENDIX VI

RELATIONSHIP BETWEEN INDUSTRIAL EDUCATION
AND WAGES

APPENDIX VII

COST OF LIVING IN NEW YORK STATE

APPENDIX VIII

WAGE REGULATION IN AUSTRALASIA

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FEBRUARY 15, 1915

FOURTH REPORT

OF THE

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February 15, 1915

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APPENDIX VI

**REPORT ON THE
POSSIBILITY OF VOCATIONAL TRAINING IN PAPER BOX
MAKING, DEPARTMENT STORE WORK, AND CANDY
MAKING. AND THE WAGE VALUE OF
VOCATIONAL TRAINING**

[1237]

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INTRODUCTION

The ultimate success of many of our commercial and industrial enterprises depends to a large degree upon the efficiency and intelligence of the workers engaged in those enterprises. This has been the idea which has actuated the making of the investigation embodied in this report. That there is a very high correlation between training and ability in certain of the so-called skilled occupations has been held by those interested in the vocational education movement. What this correlation is, as a result expressed in terms of dollars and cents, has never been satisfactorily determined any more than the value of professional or collegiate education has been absolutely determined in like terms. Nor has any definite analysis ever been made of certain occupations classed as unskilled, and any rational scheme of training would demand that we know with at least a certain degree of definiteness what the possibilities of training for these occupations are.

The limitations of time, expense and condensation of inquiry to a reasonably limited area were the deciding factors in the making of a choice of lines of work for this investigation and analysis. Paper box making, which is largely machine work, is almost entirely concentrated in one section of the State and in consequence afforded the opportunity for an exhaustive investigation. Department store work which has common elements of opportunity, wage and hours of labor throughout the State was chosen as a second distinct field for study. The third line of work chosen for investigation was candy making.

It is fair to suppose that the results of these investigations will find confirmation in other similar lines of work which might be analyzed. For certain branches of industry we may be able to offer effective training, effective because it will be of real money value to the employer and the employee. The problem of training the worker for other branches of the same industry presents, at least for the present, a large element of conjecture as to value. Industrial intelligence and industrial insight seem

desirable qualities for all workers. Industrial training, as such, is quite another matter. Like general education for the professions, industrial education may become a matter of selection and elimination; selection of the mentally and physically fit for the positions requiring special knowledge and ability and the elimination, or better, the efficient pre-determination for others of their places in the industrial scheme.

L. A. WILSON

I. AN INVESTIGATION OF THE PAPER BOX INDUSTRY
TO DETERMINE THE POSSIBILITY OF
VOCATIONAL TRAINING

By ROBERT J. LEONARD

Professor of Industrial Education, Indiana University.

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1. GENERAL STATEMENT OF THE PROBLEM AND CONCLUSIONS

The purpose of this study is to determine whether or not any provision for vocational training other than that now offered within the trade would be profitable or advisable for those employed in, or who seek to enter the various groups of occupations in the paper box industry in New York State.

The conclusions reached in the solid box industry are that short unit courses might be profitably offered for prospective foremen of cardboard and paper cutting departments and for employees within these two departments. No vocational training is recommended for employees in any of the other departments.

In the manufacture of folding boxes it is concluded that no vocational training is necessary for any employees, save perhaps, die makers and pressmen.

In the manufacture of cardboard and corrugated cases it is concluded that short unit courses might profitably be established for employees within the cardboard cutting or creasing departments.

2. SCOPE OF THE STUDY

This study includes the manufacture of solid boxes, folding boxes, cardboard and corrugated containers and cases, jewelry cases and filing cases and envelopes.

The study does not include the manufacture of envelopes, tubes, sample mounting cards, or other lines usually considered under novelty work.

It does not include work of porters, janitors, carpenters and form makers or machinists.

Tables 1, 2, 3, 4 and 5 summarize the number and per cent. of all males and females employed in each of the factories at the time of visitation, and Table 6 summarizes number of factories visited, and number and per cent. of all males and females in all factories. It will be noted that the study includes a total of 1,467 workers, 468 males and 999 females.

* This report has been checked and approved by an experienced paper box maker.

TABLE 1

NUMBER AND PER CENT. OF MALES AND FEMALES EMPLOYED IN TEN SOLID BOX FACTORIES

| FACTORY | Total employed | Total males | Per cent. males | Total females | Per cent. females |
|----------------------------------|----------------|-------------|-----------------|---------------|-------------------|
| 1..... | 34 | 12 | 34.71 | 22 | 65.29 |
| 2..... | 94 | 24 | 25.53 | 70 | 74.47 |
| 3..... | 99 | 19 | 19.12 | 80 | 80.88 |
| 4..... | 156 | 39 | 24.83 | 117 | 75.17 |
| 5..... | 150 | 30 | 20.00 | 120 | 80.00 |
| 6..... | 50 | 32 | 64.00 | 18 | 36.00 |
| 7..... | 37 | 6 | 10.82 | 31 | 89.18 |
| 8..... | 49 | 12 | 22.23 | 37 | 77.77 |
| 9..... | 170 | 58 | 34.92 | 112 | 65.08 |
| 10..... | 74 | 13 | 17.57 | 61 | 82.43 |
| Total..... | 913 | 245 | 26.83 | 668 | 73.16 |
| Per cent. males and females..... | | | | | |

TABLE 2

NUMBER AND PER CENT. OF MALES AND FEMALES EMPLOYED IN FOUR FOLDING-BOX FACTORIES

| FACTORY | Total employed | Total males | Per cent. males | Total females | Per cent. females |
|----------------------------------|----------------|-------------|-----------------|---------------|-------------------|
| 9..... | 371 | 123 | 33.15 | 248 | 66.85 |
| 11..... | 47 | 10 | 21.40 | 37 | 78.60 |
| 12..... | 42 | 28 | 66.67 | 14 | 33.33 |
| 13..... | 13 | 13 | 100.00 | | |
| Total..... | 473 | 174 | 36.78 | 299 | 63.22 |
| Per cent. males and females..... | | | | | |

TABLE 3

NUMBER AND PER CENT. OF MALES AND FEMALES EMPLOYED IN TWO CARDBOARD AND CORRUGATED CASE FACTORIES

| FACTORY | Total employed | Total males | Per cent. males | Total females | Per cent. females |
|----------------------------------|----------------|-------------|-----------------|---------------|-------------------|
| 8..... | 3 | 2 | 66.67 | 1 | 33.33 |
| 9..... | 46 | 33 | 71.74 | 13 | 28.26 |
| Total..... | 49 | 35 | 71.43 | 14 | 28.57 |
| Per cent. males and females..... | | | | | |

TABLE 4

NUMBER AND PER CENT. OF MALES AND FEMALES EMPLOYED IN ONE JEWELRY CASE FACTORY

| FACTORY | Total employed | Total males | Per cent. males | Total females | Per cent. females |
|---------|----------------|-------------|-----------------|---------------|-------------------|
| 14..... | 12 | 9 | 75.00 | 3 | 25.00 |

TABLE 5

NUMBER AND PER CENT. OF MALES AND FEMALES EMPLOYED IN ONE FILING CASE AND ENVELOPE FACTORY

| FACTORY | Total employed | Total males | Per cent. males | Total females | Per cent. females |
|---------|----------------|-------------|-----------------|---------------|-------------------|
| 15..... | 20 | 5 | 25.00 | 15 | 75.00 |

TABLE 6

SCOPE OF STUDY

| PRODUCT | Number of factories studied | Total employees | Total males | Per cent. males | Total females | Per cent. females |
|--|-----------------------------|-----------------|-------------|-----------------|---------------|-------------------|
| Solid boxes..... | 10 | 913 | 245 | 26.84 | 668 | 73.16 |
| Folding boxes..... | 4 | 473 | 174 | 36.87 | 299 | 63.13 |
| Cardboard and corrugated containers..... | 2 | 49 | 35 | 71.43 | 14 | 28.57 |
| Jewelry cases..... | 1 | 12 | 9 | 75.00 | 3 | 25.00 |
| Filing cases and envelopes..... | 1 | 20 | 5 | 25.00 | 15 | 75.00 |
| Total..... | 18 | 1,467 | 468 | 31.97 | 999 | 68.03 |

3. SOURCES OF DATA

The facts composing the body of this study were obtained from the following sources:

1. *Factories.* Fifteen factories were visited. These factories represented five different lines of boxes enumerated in Table 6* In these factories 1,467 males and females were employed at the time of visitation which was between the 15th of June and the 15th of July, 1914. With two exceptions these factories were located in New York City. This period is in the slack season.

The factories visited were selected on the following basis: From a list of factories in the Industrial Directory of New York for 1912, the Director of Investigation of the New York State Factory Commission prepared a list of ten factories which he considered representative. Representatives of paper box machinery companies also provided a list of factories where their machines and equipment could be studied to best advantage.

* It appears from Table 6 that 18 factories were visited. This apparent discrepancy is due to the fact that three factories manufacture several lines of boxes, and each separate line of boxes is listed under the appropriate head.

A study of the Industrial Directory of New York for 1912 revealed the fact that the list of factories thus obtained represented a wide distribution from the standpoint of number employed. Tables 1 and 2 show this distribution to range from 37 to 170 in solid box factories and 13 to 371 in folding box factories.

The following data were obtained from factory visits:

Factory Organization. This topic includes a roll of all employees showing what each was doing at the time of the visit and also during the course of the week; an inventory of all machines including trade name, make, how and by whom operated; the various groups of occupations and the terminal points of each group and the generally accepted paths and steps leading to these terminal points.

Order System. In all cases, order systems were studied showing how and in what form the order for the boxes is received and recorded, and how and in what form the manufacturing orders reach the various workers who share in the manufacturing processes.

Manufacturing Process. During the visit an enumeration and description of all boxes manufactured was obtained, as well as a description of all processes of manufacture, showing machines used, sex of workers, machine combinations or groups of machines which each worker has to operate during the course of his work; and knowledge involved in hand and machine processes.

Beginners. The sex, approximate age and actual employment of beginners was noted as well as the possible and probable lines of promotion for each.

2. Interviews with owners, factory superintendents, foremen and forewomen.—During the course of each visit, it was possible to confer with owners and superintendents, thus obtaining information concerning employees, factory organization, trade tendencies, opinions regarding vocational training and personal histories.

Employees. Information was obtained as to means of recruiting inexperienced and experienced hands; qualities looked for in beginners; how inexperienced hands were placed, tried out and trained; the percentage of inexperienced employees who were

thought to have made good, and the relation between general education and efficiency in this industry.

Factory Organization. Data were obtained as to fixed lines within the industry, method of promoting employees, recruiting foremen and forewomen, methods of estimating costs of stock, time required for manufacture, etc.

Trade Tendencies. Facts were obtained regarding the general demand for boxes, new types of boxes, new types of machines, and new methods of manufacture.

Opinions Regarding Vocational Training. In every case owners and factory superintendents expressed themselves freely relative to vocational training for this trade and what might be expected by it.

Personal Histories. Many owners and superintendents narrated their factory experience, showing the lines of promotion and the reasons for their progress.

3. Interviews with Employees.—Through interviews with employees, facts were obtained regarding machine and hand processes and personal histories.

Machines and Processes. Workers explained how machines were skillfully operated and cared for and what knowledge and skills were involved.

Personal Histories. Data were obtained showing beginning work in paper box factories; their lines of improvement to date and their hopes for promotion.

4. Machine Catalogues.—A study of catalogues of all paper box making machines revealed similarity and variety in structure of machines, methods of operations, adjustment, control, etc.

5. Interviews with Manufacturers of Paper Box Machinery.—The following information was obtained from these interviews: lists of factories where machines could be best observed; methods of setting up and operating machines; differences between efficient and inefficient machine operation, and special knowledge and skill required for efficient operation. Data were also obtained as to new machines to be put on market and probable changes in processes of manufacture.

6. Newspaper Want Ads.—A tabulation was made of all want ads. for help in paper box factories, appearing in one New York

newspaper from November 1 to November 15, 1913. These ads revealed the groups of occupations and the occupations wherein there is the greatest flux and shift of working force.

4. DETAILED ANALYSES AND EDUCATIONAL DEDUCTIONS

A. THE SOLID BOX INDUSTRY

1. *Solid Box Defined.*— In general terms, a solid box is one which leaves the factory completely erected and ready to receive that for which it was planned. In this study a solid box is considered one of cardboard foundation manufactured either by hand or machinery or by combination of both. A solid box may be any size or shape, with or without cover, with hinged or taped cover, with or without extension top or bottom, provided, however, that it be corner stayed with paper, rope, tape or muslin attached with adhesive. The box may or may not be covered or wrapped with paper, cloth, etc., or it may be tight wrapped, loose wrapped, stripped, trimmed, and domed with padding or under pressure doming machine. The sides, ends, or top may or may not be hinged. The box may or may not be laced and may or may not contain fly leaves or tissue. In general, the term solid box includes the following: stock shelf, shoe, underwear, corset, stocking, pill, round, square and oval hat, necktie, toy, umbrella, ice cream brick, stationery, and plain and fancy candy boxes. It does not include collapsible suit case boxes, patent folding suit case boxes and wired stayed containers, etc. It does not include boxes commonly listed under novelty work, such as chiffonier perfumery and handkerchief boxes which involve covering the cardboard with a fancy cloth, gilded trim, etc.

CHART 1
THE MANUFACTURE OF SOLID BOXES

| ORDINARY PROCESSES | | | IMPROVED PROCESSES | | |
|---|-----------------|---|-------------------------------------|-------------------|-----------|
| Machine Set up by | Sex of operator | Cardboard cutting and scoring. 6.14 per cent. of all workers | Sex of operator | Machine Set up by | |
| Operator.... | Male.... | Scoring..... | Scoring..... | Male.... | Operator |
| Operator.... | Male.... | Overcutting..... | Overcutting..... | Male.... | Operator |
| Operator.... | Male.... | Slitting..... | Slitting..... | Male.... | Operator |
| Operator.... | Male.... | Corner cutting..... | Corner cutting..... | Male.... | Operator |
| Operator.... | Male.... | Oval cutting..... | Oval cutting..... | Male.... | Operator |
| PAPER CUTTING. 8.66 PER CENT. OF ALL WORKERS | | | | | |
| Operator.... | Male.... | Overcutting..... | Overcutting..... | Male.... | Operator |
| Operator.... | Male.... | Table shears..... | Table shears..... | Male.... | Operator |
| Operator.... | Male.... | Slitter..... | Slitter..... | Male.... | Operator |
| Operator.... | Male.... | Sheet cutter..... | Sheet cutter..... | Male.... | Operator |
| ..... | ..... | Wrapper cutter..... | Wrapper cutter..... | Male.... | Operator |
| ..... | ..... | Corner cutter..... | Corner cutter..... | Male.... | Operator |
| ERECTING DEPARTMENT. 10.63 PER CENT. OF ALL WORKERS | | | | | |
| ..... | Male.... | Flange bending (hand)..... | Flange bending (machine)..... | Male.... | Operator |
| Operator.... | Female.... | ..... | ..... | Female.... | Operator |
| ..... | Male.... | Corner stayer..... | Corner stayer..... | Male.... | Machinist |
| ..... | Female.... | ..... | ..... | Female.... | Machinist |
| ..... | ..... | ..... | Quad. staying machine..... | Male.... | Operator |
| ..... | ..... | ..... | Automatic setting-up machine..... | Male.... | Machinist |
| ..... | ..... | ..... | Single-end setting machine..... | Female.... | Operator |
| ..... | ..... | ..... | Double-end setting machine..... | Male.... | Machinist |
| ..... | ..... | ..... | Extension edge setting machine..... | Female.... | Operator |
| ..... | Male.... | Glue table..... | Glue table..... | Male.... | Operator |
| PAPERING DEPARTMENT, 70.21 PER CENT. OF ALL WORKERS | | | | | |
| Operator.... | Female.... | Stripping..... | Stripping..... | Female.... | Operator |
| ..... | Female.... | Turning in..... | Turning in..... | Female.... | Operator |
| Operator.... | Female.... | Top and bottom labeler..... | Top and bottom labeler..... | Female.... | Operator |
| ..... | Female.... | Table work..... | Glue machine..... | Female.... | Operator |
| ..... | Female.... | Table work..... | Wrapping machine..... | Female.... | Machinist |
| ..... | Female.... | Table work..... | Shoulder machine..... | Female.... | Machinist |
| ..... | Female.... | Table work..... | Lacing machine..... | Female.... | Operator |
| ..... | Female.... | Table work..... | Gumming machine..... | Female.... | Operator |
| ..... | Female.... | Table work..... | Gum table operator..... | Female.... | Operator |
| ..... | ..... | ..... | Special and incidental machine..... | Female.... | Machinist |
| ..... | ..... | ..... | Table work..... | Female.... | Operator |

2. *General Description of Process of Manufacture — Ordinary Process.* Upon receiving the order for the box, the office clerk sends the cardboard scorer an order upon which is recorded the size of the box and cover, the number desired, kind and number of cardboard as well as the method of corner staying, stripping, wrapping, etc. The scorer selects the cardboard ordered, sets up the blades of the scorer and cuts and scores the cardboard blanks. The corners of these blanks are removed by the corner cutter. The paper cutter prepares all paper stock for stripping, wrapping, labeling, lacing, etc. Thus far the work is done entirely by males. These scored blanks are then stayed upon the corner staying machine operated by either a male or female operator. Upon the completion of the corner staying operation, the erected blanks go to the female strippers who strip the sides and ends and cover and thence to the turners in and then perhaps to the table where lace and tissue is attached. Top and bottom labels may be applied by female top labellers. If the box be large or irregular in shape, the ends may be pieced or set on the end setting machine or by the glue table men. In case piecing is required, the scorer must cut the board accordingly. The balance of the process may be identical with that already described. If an oval or round hat box is to made, the oval cutter is set up and the top and bottom blank cut upon it by a male operator. The scorer cuts the cardboard for the sides of the box as well as the rim of the cover. The glue table man erects the side and the cover rim and the table workers mould in and stay the oval cover and box blank. Such a box may be stripped or wrapped by the female table workers or strippers, but as the top label is oval in shape it cannot be applied on the top labelling machine, but has to be done on the table.

In a box where great strength is required or one that is too large for the corner staying machine, it is corner stayed with paper or muslin by the female table workers. Many high grade boxes demanding perfection of workmanship are stripped, wrapped, covered and finished completely by the table workers. The doming may be accomplished by padding the top, in which case it is

done by the table workers, or it may be shaped on the steam doming press operated by either male or female domers.

Improved Process of Manufacture.—Where improved processes of manufacture are in use, the cardboard blank is prepared in exactly the same manner as already described. The paper for wrapping is prepared by the paper cutters according to the method to be employed in papering the box. Corner staying may be done upon either single corner stayer or quadruple corner stayer or the box may be set up on the automatic setting machine. Unless the box be too large or irregular in shape, piecing may be done on either the single or double end setting machine. Extension tops and bottoms may be attached upon the machine extension edge setter.

With large order lots, wrapping is done on the automatic wrapping machine thus eliminating stripping and turning in, save for necks, shoulders, etc.

3. *Groups of Occupations in the Manufacture of Solid Boxes.*—Those employed in solid box factories may be grouped under the following general heads: factory superintendents, department foremen, department forewomen, cardboard cutters and scorers, paper cutters and slitters, erectors, including corner stayers, enders and glue table workers, strippers, paperers, including wrappers, table workers and finishers.

The number and per cent. of all males and females employed in each of the above groups of occupations in each factory visited is found in Table 7.

It will be noted that 73.16 per cent. of all workers are females and 26.83 per cent. are males. Table 8 shows distribution by departments of all workers in the ten solid box factories.

It will be noted that the distribution of workers by departments varies but little in the various factories.

TABLE 7
NUMBER AND PER CENT. OF ALL MALES AND FEMALES, IN GROUPS OF OCCUPATIONS, IN TEN SOLID BOX FACTORIES

| DEPARTMENT | Per cent of grand total | Grand total | TOTAL | | FACTORY NUMBERS | | | | | | | |
|--|-------------------------|-------------|-------|---------|-----------------|---------|-------|---------|-------|---------|-------|---------|
| | | | | | 1 | | 2 | | 3 | | 4 | |
| | | | Males | Females | Males | Females | Males | Females | Males | Females | Males | Females |
| Factory superintendents..... | 1.09 | 10 | 10 | ..... | 1 | ..... | 1 | ..... | 1 | ..... | 1 | ..... |
| Foremen cardboard cutting, scoring, paper cutting..... | .98 | 9 | 7 | 2 | ..... | ..... | 1 | ..... | 1 | ..... | 1 | ..... |
| Cardboard cutting, scoring..... | 6.14 | 56 | 54 | 2 | 3 | ..... | 6 | ..... | 5 | ..... | 10 | ..... |
| Foremen paper cutting..... | .43 | 4 | 4 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... |
| Paper cutting, slitting..... | 8.66 | 79 | 58 | 21 | 1 | ..... | 2 | ..... | 2 | ..... | 3 | ..... |
| Erecting: Corner staying, ending, glue table working, etc..... | 10.63 | 97 | 56 | 41 | 6 | ..... | 8 | ..... | 2 | ..... | 16 | ..... |
| Forewomen papering: Stripping, wrapping, table work, etc..... | 1.86 | 17 | ..... | 17 | ..... | ..... | ..... | ..... | 2 | ..... | 3 | ..... |
| Papering: Stripping, wrapping, table working, etc..... | 70.21 | 641 | 56 | 585 | 1 | 22 | 6 | 66 | 3 | 77 | 7 | 112 |
| Total males and females..... | ..... | ..... | 245 | 688 | 12 | 22 | 24 | 70 | 19 | 80 | 39 | 117 |
| Per cent. of males and females..... | 100.00 | ..... | 26.83 | 73.16 | 34.71 | 65.29 | 25.53 | 74.47 | 19.12 | 80.88 | 24.83 | 75.17 |
| Grand total..... | ..... | 913 | ..... | ..... | 34 | ..... | 94 | ..... | 99 | ..... | 156 | ..... |

TABLE 7 — (concluded)

NUMBER AND PER CENT. OF ALL MALES AND FEMALES, IN GROUPS OF OCCUPATIONS, IN SOLID BOX FACTORIES — (concluded)

| DEPARTMENT | FACTORY NUMBERS | | | | | | | | | | | |
|--|-----------------|---------|-------|---------|-------|---------|-------|---------|-------|---------|-------|---------|
| | 5 | | 6 | | 7 | | 8 | | 9 | | 10 | |
| | Males | Females | Males | Females | Males | Females | Males | Females | Males | Females | Males | Females |
| Factory superintendents..... | 1 | ..... | 1 | ..... | 1 | ..... | 1 | ..... | 1 | ..... | 1 | ..... |
| Foremen cardboard cutting, scoring, paper cutting..... | 1 | 1 | ..... | ..... | ..... | ..... | 1 | ..... | 1 | 1 | 1 | ..... |
| Cardboard cutting, scoring..... | 8 | 2 | 1 | ..... | 2 | 4 | 10 | ..... | 5 | ..... | ..... | ..... |
| Foremen paper cutting..... | 1 | 1 | ..... | ..... | 1 | ..... | 1 | ..... | 1 | ..... | ..... | ..... |
| Paper cutting, slitting..... | 6 | ..... | 2 | ..... | ..... | ..... | 2 | ..... | 37 | 19 | 3 | ..... |
| Erecting: Corner staving, ending, glue table working, etc..... | 5 | 13 | 2 | ..... | 1 | ..... | 3 | 6 | 8 | 2 | 12 | ..... |
| Forewomen papering: Stripping, wrapping, table work, etc..... | ..... | 3 | ..... | ..... | ..... | ..... | ..... | 2 | ..... | 2 | ..... | 2 |
| Papering: Stripping, wrapping, table working, etc..... | 8 | 101 | 26 | 18 | 1 | 31 | 1 | 29 | 2 | 82 | 1 | 47 |
| Total males and females..... | 30 | 120 | 32 | 18 | 6 | 31 | 12 | 37 | 58 | 112 | 13 | 61 |
| Per cent. of males and females..... | 20.00 | 80.00 | 64.00 | 36.00 | 10.82 | 89.18 | 22.23 | 77.77 | 34.92 | 65.08 | 17.38 | 82.62 |
| Grand total..... | 150 | ..... | 50 | ..... | 37 | ..... | 49 | ..... | 170 | ..... | 74 | ..... |

TABLE 8
DISTRIBUTION, BY DEPARTMENTS, OF ALL WORKERS IN TEN SOLID BOX FACTORIES

| FACTORY NUMBER | FACTORY SUPERINTENDENT | | CARDBOARD CUTTING DEPARTMENT* | | PAPER CUTTING DEPARTMENT* | | ERECTING DEPARTMENT* | | PAPERING DEPARTMENT* | | TOTAL | |
|----------------|------------------------|-----------|-------------------------------|----------------------|---------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|-------------------|----------------------|
| | Number | Per cent. | Number of workers | Per cent. of workers | Number of workers | Per cent. of workers | Number of workers | Per cent. of workers | Number of workers | Per cent. of workers | Number of workers | Per cent. of workers |
| 1..... | 1 | 2.94 | 3 | 8.82 | 1 | 2.94 | 6 | 17.65 | 23 | 67.65 | 34 | 100.00 |
| 2..... | 1 | 1.06 | 7 | 7.45 | 2 | 2.13 | 10 | 10.64 | 74 | 78.72 | 94 | 100.00 |
| 3..... | 1 | 1.01 | 6 | 6.06 | 2 | 2.02 | 7 | 7.07 | 83 | 84.70 | 99 | 100.00 |
| 4..... | 1 | .64 | 11 | 7.05 | 6 | 3.85 | 16 | 10.25 | 122 | 78.20 | 156 | 100.00 |
| 5..... | 1 | .66 | 12 | 8.00 | 7 | 4.67 | 18 | 12.00 | 112 | 74.67 | 150 | 100.00 |
| 6..... | 1 | 2.00 | 1 | 2.00 | 2 | 4.00 | 2 | 4.00 | 44 | 88.00 | 50 | 100.00 |
| 7..... | 1 | 3.70 | 2 | 5.41 | 1 | 2.70 | 1 | 2.70 | 32 | 86.49 | 37 | 100.00 |
| 8..... | 1 | 2.05 | 5 | 10.20 | 7 | 33.33 | 9 | 18.37 | 32 | 65.30 | 49 | 100.00 |
| 9..... | 1 | .56 | 12 | 7.06 | 57 | 33.33 | 14 | 8.24 | 86 | 50.58 | 170 | 100.00 |
| 10..... | 1 | 1.00 | 6 | 8.00 | 3 | 4.00 | 14 | 19.00 | 50 | 68.00 | 74 | 100.00 |

* Includes foremen and forewomen.

Table 9 contains a summary of distribution by sex and departments of all males and females in the ten solid box factories.

TABLE 9
SUMMARY OF DISTRIBUTION BY SEX AND DEPARTMENTS OF MALES AND FEMALES — 10 SOLID BOX FACTORIES

| DEPARTMENT | Total | Total male | Per cent. male | Total female | Per cent. female |
|-----------------------------------|-------|------------|----------------|--------------|------------------|
| Factory superintendents..... | 10 | 10 | 4.09 | ..... | ..... |
| Cardboard cutting department..... | 65 | 61 | 24.89 | 4 | .60 |
| Paper cutting department..... | 83 | 62 | 25.30 | 21 | 3.14 |
| Erecting department..... | 97 | 56 | 22.86 | 41 | 6.15 |
| Manufacturing department..... | 658 | 56 | 22.86 | 602 | 90.11 |
| Grand total..... | 913 | 245 | 100.00 | 668 | 100.00 |

Table 10 gives distribution of want ads for help by sex and department in the solid box industry appearing in one New York newspaper from November 1 to November 15, 1913.

TABLE 10
DISTRIBUTION BY SEX AND DEPARTMENT OF WANT ADS FOR HELP IN SOLID BOX INDUSTRY IN ONE NEW YORK NEWSPAPER — NOV. 1-15 (INCL.), 1913

| DEPARTMENT | TOTAL | | | NOV. 1-8 | | NOV. 9-15 | |
|---|-----------------|-------|--------|----------|--------|-----------|--------|
| | Male and female | Male | Female | Male | Female | Male | Female |
| Miscellaneous | | | | | | | |
| Girls for box factory..... | 4 | ..... | 4 | ..... | 1 | ..... | 3 |
| All around men..... | 3 | 3 | ..... | 2 | ..... | 1 | ..... |
| Home workers..... | 14 | ..... | 14 | ..... | 8 | ..... | 6 |
| Learners..... | 16 | ..... | 16 | ..... | 10 | ..... | 6 |
| Foremen..... | 4 | 4 | ..... | 4 | ..... | ..... | ..... |
| Cardboard cutting | | | | | | | |
| Scorers..... | 29 | 29 | ..... | 19 | ..... | 10 | ..... |
| Corner cutters..... | 13 | 13 | ..... | 6 | ..... | 7 | ..... |
| Paper cutting | | | | | | | |
| Paper slitters..... | 6 | 6 | ..... | 5 | ..... | 1 | ..... |
| Paper slitters (boys)..... | 3 | 3 | ..... | ..... | ..... | 3 | ..... |
| Erecting department | | | | | | | |
| Corner stayers..... | 90 | 56 | 34 | 31 | 28 | 25 | 5 |
| Machine enders..... | 7 | 7 | ..... | 6 | ..... | 1 | ..... |
| Glue table workers..... | 11 | 11 | ..... | 4 | ..... | 7 | ..... |
| Nailing machine apparatus..... | 2 | 2 | ..... | 1 | ..... | 1 | ..... |
| Papering department | | | | | | | |
| Strippers..... | 180 | ..... | 180 | ..... | 105 | ..... | 75 |
| Turners in..... | 208 | ..... | 208 | ..... | 120 | ..... | 88 |
| Top labellers..... | 47 | 4 | 43 | 4 | 20 | ..... | 23 |
| Machine wrappers..... | 14 | ..... | 14 | ..... | 5 | ..... | 9 |
| Table workers, including glue and paste hands, finishers, cloth workers, etc..... | 105 | 5 | 100 | 5 | 59 | ..... | 44 |
| Total..... | 756 | 143 | 613 | ..... | ..... | ..... | ..... |

TABLE 13
NUMBER AND SEX OF WORKERS AND PROCESSES IN CARDBOARD CUTTING DEPARTMENT—TEN SOLID BOX FACTORIES

| No. | Process | FACTORY NUMBERS | | | | | | | | | |
|-------------|-------------------------|-----------------|--------|------|--------|------|--------|------|--------|------|--------|
| | | TOTAL | | 1 | | 2 | | 3 | | 4 | |
| | | Male | Female | Male | Female | Male | Female | Male | Female | Male | Female |
| 1 | Scoring | 17 | 17 | 2 | 2 | 4 | 4 | 3 | 3 | 7 | 7 |
| 1 | Stripping from scores | 2 | 2 | | | | | | | | |
| 1 | Scoring | 3 | 3 | | | | | | | | |
| 1 | Over cutting | 7 | 7 | | | | | | | | |
| 1 | Scoring | 3 | 3 | | | | | | | | |
| 1 | Over cutting | 12 | 12 | | | | | | | | |
| 1 | Scoring | 2 | 2 | | | | | | | | |
| 1 | Vertical creasing | 1 | 1 | | | | | | | | |
| 1 | Corner cutting | 1 | 1 | | | | | | | | |
| 1 | Table shear cutting | 1 | 1 | | | | | | | | |
| 1 | Scoring | 1 | 1 | | | | | | | | |
| 1 | Corner cutting | 1 | 1 | | | | | | | | |
| 1 | Table shear cutting | 1 | 1 | | | | | | | | |
| 1 | Over cutting | 2 | 2 | | | | | | | | |
| 1 | Corner cutting | 2 | 2 | | | | | | | | |
| 1 | Table shear cutting | 2 | 2 | | | | | | | | |
| 1 | Scoring | 1 | 1 | | | | | | | | |
| 1 | Lock corner cutting | 1 | 1 | | | | | | | | |
| 1 | flange bending | 1 | 1 | | | | | | | | |
| 1 | Chopping | 2 | 2 | | | | | | | | |
| 1 | Stripping | 1 | 1 | | | | | | | | |
| 1 | Slitting | 1 | 1 | | | | | | | | |
| 1 | Chopping | 1 | 1 | | | | | | | | |
| 1 | Over cutting | 1 | 1 | | | | | | | | |
| 1 | Scoring | 1 | 1 | | | | | | | | |
| 1 | Saw table | 1 | 1 | | | | | | | | |
| 1 | Total males and females | 54 | 54 | 3 | 3 | 6 | 6 | 5 | 5 | 10 | 10 |
| Grand total | | 56 | 56 | 3 | 3 | 6 | 6 | 5 | 5 | 10 | 10 |

and number to be cut from sheet; to quickly and accurately adjust the cutter tension so that scoring and cutting will be the proper depth; and to quickly and accurately feed the cardboard sheets from the feeding table between the roll and the cutters. The abilities summarized pertain to the following: Written and oral English, estimating and computing, involving arithmetic and mensuration; knowledge of materials; knowledge of box construction; information and skill relative to setting up and operating the machines. The exact nature and degree of proficiency in the above fields is revealed by a study of the form and content of the orders which the scorers receive.

Order System No. 1.—Order systems similar to the following sample were found in use in three factories visited. Such orders are usually taken on a sheet of paper, no special order blank being used. (Sample order.)

Forty-four boxes, 7" x 3" x 1", cover 1", No. 70 chip board.

A verbal statement is made to the scorer as to the method of corner staying, material to be used in stripping, wrapping, labeling, etc.

Order System No. 2.—Order systems similar to the two following sample orders were found in use in three of the factories visited. Such orders are received in the office, recorded on special blanks or order forms in duplicate or triplicate. (Sample orders.)

1. 500 green gilt eldx boxes; 7 9/16" x 6" x 6", cover 1"; box and cover No. 45 single line chip board; corner stayed rope; 2 gold edges; wrapped with green glaze; 2 sides book flies and 2 ends parchment flies; cover thumb holed—top label printed in black get from eldx; bottom labels, white book.

2. Milling boxes, 200 boxes; 25" x 15" x 4", cover 1"; stays, box and cover set up twill; frame, board No. 30, single line chip; cover, board No. 30, single line chip. Paper;—box, yellow book, cover, yellow book; top label, yellow book; neck, none; bottom label, yellow book; trim, none; laces, none; labels, get from . . . printing, none.

These three companies give each box a manufacture number and each order form is filed in a card catalogue accessible to the scorer. Upon the receipt of a re-order, the number of the box is

given to the scorer together with the number to be manufactured, whereupon the scorer looks up the order in the card catalogue.

Order System No. 3.—Order systems similar to the following sample were found in use in four factories. Such orders are taken in the office on a special order form in duplicate or triplicate. The main portion of the work in computing is done by the staff of clerks in the office. These clerks figure the size of the sheet to be used, the number of sheets required for the box and cover and the number of boxes and covers to be cut from each sheet. (Sample order.)

Box No. 267, 1 M boxes, $8\frac{1}{2}$ " x 14" x 2", cover $1\frac{1}{4}$ "; box and cover No. 40, single line chip board; box 84, sheets No. 40, single line chip board, 26" x 28", 4 out; cover 84, sheets No. 40, single line chip board, 26" x 38", 4 out; $\frac{1}{8}$ " allowed for fit of cover; corner stay rope; projecting bottom, none; projecting top, none; drops and supports, none; artificial bottom, none; stripped, blue plate; bottom label, blue plate; top label, blue plate; end label, none; fly, 1 white mill; lace, neck, partition — none.

As with order system No. 2, orders are filed according to manufacturing number in a card catalogue to which scorers have access and upon the re-order of a box previously manufactured, the scorer looks up the original order.

In two factories the foremen of the cardboard cutting department were assisted by clerks who kept the card catalogue, computed size of sheets to be used, the number of sheets required, etc. In these two factories, however, the scorers were told to refigure all computations in order to check the clerk's work.

KNOWLEDGE AND SKILL REQUIRED OF SCORERS

1. *English.*—All orders studied were received by the scorer in writing. In many cases the scorers had to report the time of beginning and completing a specific job, the size of boards used and the amount of stock consumed. These reports had to be submitted in writing. It is thus necessary that scorers must be able to read and write English.

2. *Computing.*—It was found that in only three factories the exact size of the sheet to be used and the number of sheets

necessary were specified in the original order. Even in these three factories, the scorers were compelled to refigure all orders received in order to check the work of the clerks or foremen. These computations necessitate the knowledge of the trade method of computing stock. The ability to make these computations involves addition, multiplication, division, subtraction and the use of fractions. The ordinary method of computation is as follows:

With the receipt of an order, similar to the sample under order system No. 3, the problem is, what size sheet of cardboard to select, and the number of sheets required for the 1 M boxes $8\frac{1}{2}$ " x 14" x 2", cover $1\frac{1}{4}$ ", No. 40 single line chip board. As the box is $8\frac{1}{2}$ " wide, 14" long and 2" deep, the width of the blank would be $8\frac{1}{2}" + 2" + 2" = 12\frac{1}{2}"$. The length would be $14" + 2" + 2" = 18"$; thus the dimensions of the blank for the cover would be $12\frac{1}{2}"$ x 18". By comparing these figures with the different sizes of the cardboard sheets, we find that a sheet 26" x 38" would cut to best advantage. The number of blanks per sheet is computed as follows:

$$\begin{array}{r} 26" \times 38" \\ 12\frac{1}{2}" \times 18" \\ \hline 2 \times 2 = 4 \text{ blanks per sheet.} \end{array}$$

As 1,000 blanks are needed for the boxes, 1,000 divided by 4 or 250 sheets are needed.

In like manner the board required for the cover is computed. One-eighth-inch addition should be made to the side and end of the cover to allow for "fit". The cover must be therefore, $8\frac{5}{8}"$ x $14\frac{1}{8}"$ x $1\frac{1}{4}"$. The width of the blank must be $8\frac{5}{8}" + 1\frac{1}{4}" + 1\frac{1}{4}" = 11\frac{1}{8}"$. The length must be $14\frac{1}{8}" + 1\frac{1}{4}" + 1\frac{1}{4}" = 16\frac{5}{8}"$. The number of blanks per sheet is estimated thus:

$$\begin{array}{r} 26" \times 38" \\ 11\frac{1}{8}" \times 16\frac{5}{8}" \\ \hline 2 \times 2 = 4 \text{ cover blanks per sheet.} \end{array}$$

As 1,000 cover blanks are required, 1,000 divided by 4 or 250 sheets of cardboard are needed for the cover. For the entire

order 250 sheets for the boxes and 250 sheets for the covers or 500 sheets are needed. As there are 40 sheets per bundle, 500 divided by 40, or 12 bundles and 20 sheets are needed.

A large box may have to be pieced in which case the scorer must calculate for flanges for attaching the pieced sides, etc. He must also cut the material for the pieced sides. The amount to be allowed for fit must be carefully estimated according to the thickness of the board and method of setting up and covering. With the use of hinged top, extension edges, hinged sides or partitions or false bottoms, the scorers' problem of estimating becomes more complex. The skillful scorer knows the stock size boxes so thoroughly and the stock sizes of materials so well that the entire estimate is made in a very short time and with a high degree of accuracy.

3. *Materials.*—It is obvious from the study of the order systems that the scorer must have a thorough knowledge of stock sizes and materials, stock weights, stock designations as to size, quality, lining, etc. He must also be able to recognize by inspection the thickness of boards, qualities of boards, etc. He must also know stock designations of corner staying materials and covering materials such as the various kinds of paper, cloth, etc., and the approximate thickness of these materials so as to know how much to allow for the "fit" of the cover.

4. *Box Construction.*—In like manner he must know possible types of boxes, the various methods of box construction, etc. This knowledge is absolutely essential in order to understand the manufacturing orders.

5. *Card Catalogue.*—In many shops, the scorer must file his order forms in a card catalogue according to the manufacturing number. He must be able to quickly find past orders in order to refill them.

A study of the scoring machine shows that the scorers must know the following:

1 *Care of Machine.*—Scorers must clean and oil, be able to insert and remove cutters, etc. Cutters are usually sent to a tool grinder or to the factory machinist to be sharpened.

2 *Setting Up Machine.*—This must be done quickly and accurately. If a blank for a box 10" x 10" x 4" be required and the

board be of ordinary thickness, the knives must be set up as follows:

Left cutter $\frac{1}{4}$ " from beginning end of steel roll, tension to cut.

Next cutter 4" from cutting blade, tension to score.

Next cutter 10" from scoring blade, tension to cut.

With a double scorer this process of setting up must be repeated. A sliding steel rule is mounted above the cutters and the cutters should be set up without moving the rule. If the rule remains stationary as it should, the knives would be set at the following points on the rule: $\frac{1}{4}$ ", $4\frac{1}{4}$ ", $14\frac{1}{4}$ ", $18\frac{1}{4}$ ". The scorer who has not been properly trained will set the first blade at $\frac{1}{4}$ " and slide the rule to this point; set the next blade at $4\frac{1}{4}$ " and slide the rule to this point and so on. After the blades have been set and locked in the proper places, the tension screws must be adjusted. Each blade will either cut or score depending upon the pressure of the blade against the steel rule with which it comes in contact. This pressure is adjusted by a tension screw. Adjusting these screws requires care and skill.

3 *Feeding Machine.*—The final act of skill is feeding the cardboard from the table over the roll and under the scoring knives. The feeding gauge must be set and locked in proper position. The table gauge must also be set and locked in proper position. The feeding gauges in most machines may be either hand or power operated. Great variations in speed in feeding were noted. The less efficient scorers feed slowly and are apt to stop feeding occasionally and count the number of scored sheets in order to see if enough have been fed. The more efficient scorers bring to the table only the exact number of sheets required for the order. They feed continuously until all of the sheets are scored and are thus absolutely certain as to the number.

2. *Stripping from Scorers.*—Stripping, when used in the sense of breaking away cardboard, involves forcibly breaking away from the cardboard blank the waste portions. In all of the solid box factories visited, save one, this stripping was done either by the scorers after completing the scoring process, or by the corner cutters before corner cutting. In this one exceptional factory, two boys were engaged in doing the stripping. Stripping from scoring machines, unlike stripping from cutting and creasing presses

in the manufacturing of folding boxes, is unskilled work and deserves no place of importance in this study.

3. *Board Cutting, Hand and Table Shears.*—The greater per cent. of all cardboard is cut on the scorer. Over and under-cutters, as well as hand and table shears, are seldom used, and when used are for preparing partitions, end pieces and extension tops, etc. In the main, these machines are operated by the paper cutters. For analysis of skills involved, see this topic under paper cutting.

4. *Slitting.*—The rotary cardboard slitter is used for cutting strips from sheets; glued necks, shoulder frames, partitions, etc. In the slitting machine, cutters or knives work in pairs. These cutters are mounted on shafts in such manner as to afford a shearing contract. Slitters are equipped with hand operating feed gauges or power back feed gauges. The entire time of one man is seldom given to this machine, a few minutes' operation each day usually being sufficient. The scorer must set up and lock the cutters or knives in the proper places on the shafts. The machine may be fed by any one in the cardboard cutting department who has the spare time. For machine groupings in which this machine figures, see Table 13. In the one case enumerated under factory 5, where the slitter is operated alone by one male, the scorer set up the machine and a boy fed it.

5. *Vertical Creaser and Slotter.*—A vertical creaser and slotter was found in use in only one solid box factory, and in this factory was used for manufacturing cartons. As this machine is more commonly used in folding box factories, the topic is treated under that section.

6. *Corner Cutting.*—Corner cutting is cutting a square the size of the height of the box from each of the four corners of the cardboard blank. These corners may be cut on any one of the following types of corner cutting machines: foot power single corner cutter, power single corner cutter, power double corner cutter, power twin corner cutter 21 of the 30 corner cutting machines observed in operation were of the power single type.

Operating single corner cutter.—As the cardboard blanks reach the corner cutter operator completely scored, no measurements have to be made to set the gauges which determine the amount of

board to be removed. To set the machine, a blank score is placed on the machine table, so that the knives fall in the scored lines; then the gauges are pushed up until they touch the cardboard and are then locked in place. Each corner cutter sets up his own machine. Success in corner cutting consists in quickly setting up the machine, in quickly evening the edges of a pile of blanks and in quickly feeding the pile of blanks in the machine. The corner cutting machines may be run continuously or stopped at will by the foot control clutch. A successful operator will make four cuts with four strokes of the knives and keep the machine in continuous operation.

Operating double corner cutter.—Double corner cutters remove two corners simultaneously. To regulate the width of the cut, the upper and lower knives are moved together bodily to or from the center on the bed of the machines and locked when properly adjusted. All the factors enumerated under operating the single corner cutter are involved in operating the double corner cutter.

Operating twin double corner cutter.—The twin double corner cutter is a one unit equivalent of two double corner cutters mounted back to back. Each unit of the twin double corner cutter is operated by a single operator being absolutely independent of the other regarding setting up, adjustment, type of work being done, and operation and control. The same skill is involved in the use of this machine as enumerated under operating single corner cutters. By changing upper and lower cutting dies, most corner cutting machines may be adopted to round or fancy corner work and nipping and mitering. These adjustments may also require a change in gauges which may be made by either the corner cutter or the machinist.

7. *Chopping.*—The chopping machine cuts narrow necks or shoulders, partitions, strips of board, etc. Side gauges are adjusted to the width of the strip. The front gauge is set to regulate the amount cut off by the vertical stroke of the knife. Both automatic and hand feed machines were observed in use. Chopping machines seldom take the entire time of one operator. The combinations in which this machine figures are enumerated in Table 13. The machine may be set up and fed by a male opera-

tor, but when fed by a female operator, it is set up by the foreman or machinist.

8. *Round and Oval Cutting.*—Oval cutting did not occupy the entire time of any of the cutters in the factories studied. The machine groupings in which this machine was involved are listed in Table 13.

The size of the oval or circle to be cut is determined by the distance of the center of the form to the cutting points of the two circular blades. The shape of the blanks depends upon the form and guide used. The stock is held in position on the form by several steel pins over which the cardboard is placed. All oval cutters observed were hand operated. Successful operation consists in selecting and mounting the proper form and guide, in setting the form and guide at the proper distance from the cutting point of the two knives; in mounting the stock upon the form pins and in turning the crank handle operating the cutting knives.

9. *Foreman of Cardboard Cutting.*—Foreman of scoring and cardboard cutting departments are usually recruited from among the scorers. The foremen must assign work to scorers, check all computations for stock, fit, etc., and be responsible for the work of all operators employed in the department.

B. EMPLOYEES CARDBOARD CUTTING DEPARTMENT

1. *How Recruited.*—It must be remembered that only 6.14 per cent. of all the employees in the 10 factories visited were employed in this department and that cardboard cutting is entirely limited to males. While this department contains the smallest group of workers, it also represents the most stable group, there being little change from factory to factory. The employees in this department, as a rule, are well satisfied to remain with the firm with which they are employed. In case of a vacancy in the scoring department, little difficulty seems to be experienced in breaking in new scorers from among those operating other cardboard cutting machines or in obtaining experienced scorers by advertising, etc. Table 10 shows that 29 ads were printed for scorers and 13 for corner cutters and Table 11 shows that only 5.55 per cent. of all want ads tabulated were for help in this department.

2. *Selection of Beginners.*—In no factory visited was it found that any policy or plan as to age, nationality, experience or capacity was worked out or consistently adhered to in choosing beginners or experienced workers for this department. In three factories visited, employees for this department were recruited from the general factory employment bureau. Prospective employees were interviewed as to age, health, previous experience, term of service in last factory, etc. From these facts the manager of the employment bureaus thought they could pick a successful worker. In these three factories, however, no method of actually testing the ability, knowledge or potential skill was found in use. In all probability a few simple tests could be devised and applied which would result in determining, at least in a preliminary way, the probable efficiency and fitness for the work of the department. In general, in those factories where conditions were favorable for promotion within the department, foremen preferred that beginners be under 18 years of age, that they be American born and physically strong and vigorous. Strength is required on account of the necessity of lifting heavy bundles of cardboard. Such a beginner, provided he have the equivalent of an elementary school education, is apt to follow the line of promotion indicated in Chart 2. Foremen believe that a man entering this department over 35 years of age is not liable to become an efficient scorer. They think that for such a man corner cutting is apt to be the terminal point.

The common laborer entering as a porter or floor man is apt to remain at this work. In many of the smaller, lower grade factories, laborers are thus employed for this work. The foremen and managers of the smaller factories manifest no desire to obtain a young man for such work and no desire to train a young man for higher positions. They prefer to get a worker who has been previously trained and who has had successful experience in some other factory.

What Beginners Were Doing.—Nine young men, rated by their foremen as beginners, were observed at work in the cardboard cutting department. Two of these were rated as assistants, their work involving running errands, carrying about cardboard blanks, bringing stock to scorers and corner cutters, cleaning machines, etc.

One was rated as an errand and floor boy, his work being similar to that already described.

One was operating a cardboard slitting machine, previously set up by the foreman.

Two were stripping from scorers.

One was operating a nailing machine, attaching wooden frames to the inside edge of millinery stock boxes. His work also involved operating the metal edge corner staying machine. This young man was ambitious to be promoted to the corner staying machine.

3. *Personal Histories; Foremen.*— One factory superintendent learned all the phases of the paper box trade in Germany. During his factory experience in Germany he served as glue table man, also in the various departments in the cardboard cutting department as well as in the various departments in paper cutting. In this way he learned thoroughly all the details of the trade and upon coming to this country was able immediately to successfully establish a factory.

One foreman of the cardboard cutting department began at the age of 20 as sweeper and stripper from the scorers. His first promotion was to the foot power corner cutter, then to the power corner cutter, to cardboard slitter, to corner stayer, to scorer and finally to foreman of the department. He had never cut paper.

One factory superintendent started in as receiver from the cardboard lining machine. Realizing that work in this department led nowhere, he left the establishment and became a floor boy in a solid box factory. Here he ran errands, swept the floor, carried waste, etc. His first promotion was to the corner cutter, then to corner stayer, then to cardboard slitter, then to scorer. He then became superintendent of another factory.

One factory foreman started in the cardboard cutting department sweeping the floor and cleaning the machines. Following the usual line of promotion, he became a corner cutter, slitter and finally scorer, after which he became the foreman and superintendent of another solid box factory.

One cardboard scorer, now about 33 years old, began as a closer and packer in a solid box factory. His first promotion was to foot power corner cutter and from it he was promoted to power

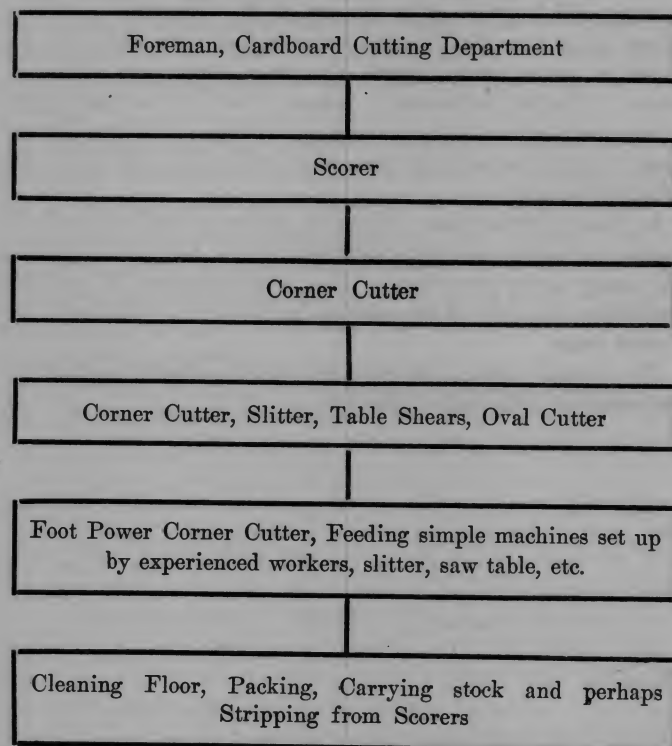
corner cutter, corner stayer, cardboard slitter and finally to scorer. He has never cut paper. He now receives about \$11 per week. He thinks that one can learn to be an efficient scorer in at least one year's time and that no provision for training other than that offered within the industry is necessary.

One factory superintendent, now about 38 years old, entered a large solid box factory at the age of 18. His first work was sweeping the floor and cleaning the machines. He was then promoted to corner cutter, slitter, to corner stayer, and finally to scorer. After this he became a foreman of one of the departments within the factory. Upon leaving this factory he became general factory superintendent and manager of a very large and up-to-date solid box factory.

4. *Lines of Promotion.*— The aim of every ambitious employee within the cardboard cutting department is to become a scorer on the rotary scoring machine. This work requires the greatest knowledge and skill of any within the factory and also pays the highest wage.

The general lines of promotion in the cardboard cutting department are indicated on Chart 2.

CHART 2

THE POSSIBLE LINE OF PROGRESSION OF EMPLOYEES WITHIN
THE CARDBOARD CUTTING DEPARTMENT(Those starting in the cardboard cutting department, seldom
work at all in the paper cutting department.)

It is not to be assumed that the steps enumerated are fixed and assured lines of promotion and that one entering the cardboard cutting department as a floor boy will be promoted or will deserve promotion in the way indicated. The initial work upon entrance to the factory as well as each of the possible succeeding steps may be either a step in a series of promotions or a terminal point.

For many, each of the steps enumerated become terminal points. Whether the initial work or any of the possible succeeding steps become a terminal point or a means of promotion depends upon the individual involved, the foreman, the factory organization and many other factors incidental to industrial organization.

In none of the factories studied was it found that the management was committed to any policy of carefully selecting beginners, or to any system of trade training, or to any system of promotion in terms of machine progression or wage increase. All scorers with whom conferences were held described their lines of promotion in some such way as indicated in the Chart 2. Each scorer consulted had at some time operated all the machines in the department. Beginning at cleaning or assisting in the cardboard cutting room, the beginner remains at this work until he is more or less familiar with the machines in the department, the factory organization, the stock, etc., or, until there is an actual vacancy at some of the simpler machines, or until some special order is received requiring the work of an assistant upon some of the simpler machines. The foot power corner cutter may be the first machine which he operates. In many cases, however, the beginner may start on the power corner cutter, operating it for a few moments during the day and coupling with this work odd jobs involving perhaps the saw table, the oval cutter or the hand table shears. The small orders provides opportunity for this sort of work.

He may next be placed on a corner cutting machine on full time or upon part time combined with the slitter and other incidental machines. Many who are made full time corner cutters at this stage remain at this work indefinitely and for them it becomes a terminal point. In many cases this is because they have not the necessary background of general education necessary for making computations involved in scoring. In other cases failure to be promoted is due to natural inertia. Some go from corner cutting to corner staying and this also may become either a terminal point or a step in the promotion to scorer. With a man of ambition these steps are not apt to be terminal points, as, during his spare time at noon and between orders, he acquires a familiarity with the scoring machine, its method of operation,

the method of computing, etc., and with materials as to size, shape and trade designations.

The next step of promotion within the department is to the scorer and the final step of promotion is from scorer to head cutter or foreman of the cardboard cutting department. This last step in promotion depends not only upon the knowledge and skill previously enumerated in each operation, but upon personal factors in terms of leadership, personality, etc.

5. *Deductions Relative to Education.*—The knowledge and skill required for efficiency in cardboard cutting and scoring may be summarized from the previous statements as follows:

1. Relative to orders, computations, materials and box construction, etc.:
 - (a) Ability to read and write English.
 - (b) Ability to make computations, size of sheet, number of sheets required, amount for "fit", etc.
 - (c) Knowledge of materials, trade designations as to size, shape, weights, qualities of board, etc.
 - (d) Knowledge of box construction, including not only the cardboard blank but methods of corner staying, wrapping, stripping, finishing, etc.
 - (e) Ability to use card catalogue.
2. Relative to machines:
 - (a) Care of machine.
 - (b) Setting-up machine.
 - (c) Feeding stock.
 - (d) Ability to set up and operate all other machines in the cutting department and to direct others in operating these machines.

Regarding the first field enumerated in topic 1, relative to orders, it is reasonable to assume that one with ordinary ability completing the elementary school and with a period of two or three years' experience operating the various machines within the cardboard cutting department would have the necessary background required for becoming an efficient cardboard scorer. It is also reasonable to assume that with general courses in industrial art in the elementary school, such courses including the

frequent and continued use of the rule and the problems growing out of its use, the handling of a variety of materials and the consequent familiarity with trade designations of all materials used, stock sizes, etc.; frequent factory visits and familiarity with the factory organization, would be apt to achieve promotion more quickly than one without such a background of experience.

In regard to the second field enumerated in topic 2, relative to machines, there can be no possible relation between the work of the elementary school and its successful completion and successful machine operating. This is true, owing to the highly specialized nature of the machines. Visits to factories and familiarity with one or two power operating machines might, however, be valuable as a means of preliminary introduction to the later work of the factory. This experience would only serve as a preliminary introduction. On the other hand, the factory seems to afford sufficient opportunity for the acquirement of the skill necessary for actually operating the machines according to the present standards of the trade. It is not believed, however, that most machines in the cardboard cutting departments are as efficiently set up, cared for, and operated as is possible. As there are few standards for actual accomplishment in terms of work turned out, that is blanks prepared in a given time, amount of waste stock, etc., it is impossible to prove the contention that machines are not at present operated most efficiently. The fact of the absence of such standards in terms of time required per output, the stock consumed and waste incidental to its preparation, certainly indicates waste as well as managerial inefficiency. This fact, combined with the knowledge that with the absence of standards, individuals tend to vary more greatly than with the presence of standards, indicates that improvement along this line could be made.

6. *Short Unit Courses for Scorers.*—It is probable that few employees in the cardboard cutting department have had the advantage of attending and graduating from an elementary school with practical courses in arithmetic leading to skill in computing, and courses in industrial art of a broad enough scope to acquire familiarity with materials and processes and factory organization, etc. Many scorers are merely machine feeders because they

cannot compute. Many scorers with years of experience and favorable personal qualities are prevented from becoming foremen because of a lack of all around knowledge in cost estimating, computing, etc.

Many corner cutters cannot become scorers because of the lack of rudamental and trade knowledge enabling them to estimate stock, set up scoring machines, etc. These factors indicate a need for some provision for vocational training for those already within the cardboard cutting department. This vocational training can undoubtedly be best given in a short unit course or in a series of short unit courses. Two short unit courses are submitted in outline form. These outlines merely include the main, general topics of the courses. No attempt has been made to list in detail all of the necessary factors, it being assumed that if such courses are to be given, the actual details involved as to content and method, must be worked out by factory foremen, scorers, owners of box factories and those engaged in vocational education. The two short unit courses are as follows:

COURSE I

Open to all employed in the cardboard cutting department and designed particularly for those who are either scorers or who wish to become scorers.

COURSE II

Open only to successful scorers who are ambitious to become foremen of the cardboard cutting department.

OUTLINE OF COURSE I *

1. *English*.—Based on interpreting all possible order systems and all possible systems for reporting stock consumed, time required, etc.

2. *Computing and Estimating*.—Based entirely on work of estimating size of sheet to use, number of sheets required, number of bundles of board or tons required, allowances for cover, "fit," etc. The basic factors here required include adding, multiplying, dividing and use of fractions, as well as drawing and reading

* Any section under Courses I or II may be pursued independently.

drawings of box blanks; estimating stock from diagram, and the simple principles of mensuration. The use of instruments of precision such as scales, calipers, micrometers, is also included here.

3. *Materials*.—Trade Designations. Size, shape, weight, number of sheets per bundle, bundles per ton, kinds and qualities of board, etc.

Testing Materials. Methods of determining thickness of stock by inspection, gauges, calipers, micrometers, scales, etc. Methods of determining strength and quality by inspection, gauges, etc. Methods of determining grain and bending qualities of materials by inspection, etc. Also methods of determining depth of cut to be made, tension adjustment, etc.

4. *Box Construction*.—Kinds of boxes, including study of various types of covers; types of sides, including solid, drop or hinge; types of ends, shoulders, partitions, necks, etc.

Methods of box construction and erection.

Methods of corner staying and staying materials.

Erecting machines, table working, piecing machines, hand piecing, etc.

Methods of box covering, including stripping, wrapping, labelling, etc.

5. *Use of Card Catalogue*.—Index, size of cards, methods of filing, etc.

6. *Scoring Machine*.—Care of machines including cleaning, oiling, care of belt, care of knives, care of roll and table, etc.

Setting up Machine. Choice of cutting knife, setting knife at proper place on scale, use of scale in setting knives, locking knives, adjusting tension for scoring, and feeding and operating machine. Also adjusting hand and power back feed gauge, operating hand and back feed gauge, applying power to machine by foot and hand lever.

7. *Other Machines*. Same content as enumerated under scoring machine should be given relative to the slitter, evercutter, oval cutter, chopper and saw table.

OUTLINE OF COURSE II

1. *Order Systems*.—A study of all possible order and reporting systems comparing relative efficiency, etc.

2. *Cost Estimating.*—Method of determining cost of stock, consumption of stock, waste of stock, method of determining time units required for setting up the machine, preparing blanks, etc.

Method of determining costs in terms of wages.

Method of determining machine costs including the original machine, replacing parts and repairs, sharpening blades, etc.

3. *Machines.*—Makes, advantages of various makes.

Placing the machine considering safety, light, floor space, paths of traffic, etc.

Care of machines.

Guarding machines.

4. *Foremanship.*—Relation of foreman to operator.

The assignment of work to operator.

Hiring new employees.

Qualities to look for.

Placing new employees.

Providing for progress and training of beginners.

Promotion for employees in terms of change of work and increase in wages.

Accidents—how to avoid them and provision for first aid.

Method of reporting accidents.

Labor laws—relative to age, hours, machines, factory construction, insurance and compensation.

5. *Care of Plant.*—Laws regarding care of plant including toilets, windows, light, temperature, ventilation, and work of porters.

C. PAPER CUTTING AND SLITTING DEPARTMENT

1. *Paper Cutting Defined.*—Paper cutting involves cutting the paper with which the box is to be wrapped, covered, trimmed or stripped, labeled, laced or tissue. Table 14 lists the various operations, machines, groups of operations and machines as well as sex and distribution of workers under each. It will be noted that only 8.56 per cent. of the entire number of employees in the ten factories visited are at work in this department. Also that all actual machine operating is confined entirely to men, women being employed only in counting and straightening labels, tying labels, etc.

Unlike the organization of the cardboard cutting department, each paper cutter is apt, during the day, to perform all the operations listed under Table 14. In factory 9, where 20 men are listed as operating only the overcutter, these men are engaged in cutting labels for other departments within the factory as well as for other establishments. This is not typical of most of the paper cutting departments.

As each man in the department is apt to have to run all the machines listed, the operation of any one machine is not apt to become a terminal point. It is therefore safe to say that paper cutting is a trade.

2. *Order System.*—As all men employed in this department, save beginners, receive and must be able to understand all written order systems, the order system is here analyzed under a separate head and any notes relative to the necessity of understanding the order system must be applied to all workers within the department. In every case the same type order systems enumerated under cardboard cutters are in use in this department. In many cases the paper cutters receive a copy of the identical order sent to the cardboard cutter. In some cases however, the paper cutters receive separate memorandums. The manner in which the order system is significant in paper cutting is revealed by a study of sample order No. 1. Accompanying this order a statement similar to the following might be made to the paper cutter:

Box and cover stripped white.

Top and bottom labelled white.

No flies, flaps or tissues.

The following computations must be made for this order:

Forty-four boxes — 7" x 3" x 1", cover 1".

The amount needed for tripping the box is estimated as follows: $7" + 3" = 10" \times 2" = 20"$, the distance around the box, allowing 1" overlap, $21" =$ length of strip for each box.

Forty-four boxes require $44 \times 21"$ or a strip 924" long for stripping boxes.

As the cover is the same size, this figure must be doubled, $924" \times 2 = 1848"$. One-half inch must be allowed for turning in. Thus a strip $1\frac{1}{2}"$ wide is needed and the entire paper order

for stripping is now summarized, being a roll of paper $1\frac{1}{2}$ " x 1848". There are other methods of figuring this paper order. The paper might cut to best advantage by using two rolls instead of one, in which case two rolls of paper $1\frac{1}{2}$ " wide by 924" long would be required, or four rolls might be used, in which case each roll would be $1\frac{1}{2}$ " wide and 462" long.

The amount of paper required for top and bottom labelling is computed as follows:

One-eighth inch is deducted from the width and the length of the box so that $\frac{1}{8}$ " is allowed on each side and end. Thus, each label is $2\frac{7}{8}$ " wide and $6\frac{7}{8}$ " long, and as 44 labels are needed for top labelling a strip $2\frac{7}{8}$ " x ($6\frac{7}{8}$ " x 88) is needed, or a strip $2\frac{7}{8}$ " wide by 605" long.

Certain additions in the length of the strip are allowed for waste. The experienced cutter uses many short cuts in computing, eliminating many of the steps here listed. A glance at the two sample orders under order system No. 2 reveals the fact that estimating paper for these boxes would be much more difficult and complicated as trimming, fly leaves, etc., must all be figured. If wrapping is to be done on a wrapping machine or on the table, thus eliminating stripping, calculations as to the amount of the paper required must be made on an entirely different basis.

3. *Deductions from Order System Relative to Education.*—It is obvious that the paper cutter must have much the same general knowledge and ability as the cardboard scorer. As with scoring, the same general groups of topics are required.

(a) English—same as scoring.

(b) Computing and Estimating. The computing necessary in figuring amount of paper required involves same abilities as listed under cardboard.

(c) Materials. Cardboard cutters must know trade names, size of paper, stock, quality designations, color designations, methods of testing for quality, strength, weight, grains, shrinkage and expansion, effect of moisture, glue, paste and gum.

(d) Box Construction. The paper cutter must be familiar with all of the various types of boxes and methods of construction, including not only corner staying but wrapping, trimming, stripping, labelling, flying, tissueing, lacing, etc.

(e) Card Catalogue. Same as scorer.

4. *Power Overcutting and Undercutting.*—In general these machines are used for cutting labels, wrappers, fly leaves and paper for table and glue workers. With the adoption of the machine wrapping process of covering instead of the stripping process much more of the paper cutting must be done on these machines. In operating essentials, the various makes of overcutting and undercutting machine paper cutters are similar. All have some provision for clamping stock to table and all have some provisions for controlling power of the machine. Granting that the paper cutter has completed all computations, selected stock, and knows where cuts are to be made in the pile of paper stock, the following are the essential operating steps.

Setting Back Gauge.—The line at which the back gauge should be set may be determined in one of the following ways depending upon the type of cutter; the use of graduated rule, graduated table, or graduated steel band with finger or dial indicator. The back gauge is usually controlled with hand wheel. Clamping. Some machines automatically clamp the pile of paper to the table while with others, the hand wheel clamp must be set. Cutting. Actual cutting is accomplished by throwing in the hand-or-foot-controlled lever or by pressing upon the hand or foot friction clutch. Cutter knives are sharpened by professional tool grinders.

Die Cutting Press.—Adjustment of the die cutter press is usually made by a hand wheel. Success in operating consists in adjusting the head, placing the die cutter in the correct place on the pile of stock and in applying power. Die cutting machines are controlled by hand or foot lever clutches.

Lever Cutting and Hand Wheel Drive Cutters.—Cutters with lever control have back gauges similar to those described in power overcutters. Clamping is accomplished by steel screw clamp and cutting is accomplished by operating lever or turning wheel. The blades are sent to professional tool grinders to be sharpened.

5. *Table and Bench Shears.*—The essential features in successfully operating table and bench shears are setting gauges, clamping, and operating hand shear blade. Table and bench shears are equipped with table and back gauges. Setting points are

determined by using ordinary rule or stationary gauge mounted upon the table or by following the graduations upon the table. Gauges are usually locked with a single hand clamp screw. Clamping the stock is usually accomplished with foot lever control clamp. Actual cutting is accomplished by lowering the hand shear blade. Cutting blades are sent to tool grinders to be sharpened.

6. *Sheet Cutting.*—The sheet cutter may be regarded as an auxiliary machine in the equipment of the paper cutting department. It is used for cutting sheets from the roll. As indicated in Table 14, the sheet cutter is not operated singly in any case. The roll of paper stock to be cut into sheets must be lifted and mounted upon the roll arms. The gauge must be set for length of sheets and paper must be threaded through by hand. Upon setting up and starting the cutter, no further attention is necessary.

7. *Slitting and Rewinding.*—Slitting and rewinding is accomplished on the paper slitter by which means rolls of paper stock, are cut and rewound into narrower rolls of varying widths. Stock thus cut is used for stripping, trimming and top and bottom labelling.

Setting up Machine. After necessary computations have been made establishing widths into which roll of stock is to be cut and length of stock to be cut, the operator proceeds to set up the machines. Two types of machine are in use. In one type a single set of circular disc steel cutters are held in position upon a bar and in cutting come to bearing against a brass roll, the paper passing between the cutters and the roll. In the other type, lower and upper cutting knives are mounted on cutter hubs which are mounted on steel shafts. The cutters are set sufficiently close to insure a shearing contact. In either type of machine, a graduated steel roll is mounted upon the cutters so as to enable the operator to quickly set the knives in proper position. Locking is accomplished by a screw nut or wedge clamp. The parent roll of stock is mounted on the shaft and locked in position by a cone at either side. The paper is then threaded between or over one or more steel rolls and then threaded between the pairs of cutters, in the second type cutting machine, or between the cutters and brass roll, in the first type cutting machine.

After a few inches have been cut, the cut ends are alternately fastened to the rewinding bars or mandrels. Two or three rewinding bars or mandrels may be provided for this purpose. By attaching alternate strips to the upper and lower mandrels, the tension pressure is equalized. In the meantime, attention must have been paid to the various tension and friction adjustments. These tension and friction adjustments may be applied to the parent roll, to the steel rolls between or around which paper is threaded, and to each of the mandrels. Variation in speed may be secured in some of the slitting machines, the speed being adjusted to suit the strength and quality of the paper. After setting up the machine, mounting roll and threading paper and adjusting the tension screws, no further attention need be given the machine save to regulate the tension as the size of roll decreases, and also to look at the measuring gauge. Measuring gauges are of two types. One type consists of a milled surface wheel and indicator resting upon the parent roll. This indicator counts up to ten thousand in terms of inches cut, the unit being perhaps 20 inches. The other type of gauge is mounted to the frame of the machine and controlled by a lever connected to the gears or wheels. It also counts the number of lineal inches in terms of inches which have passed through the cutters.

Slitting machines are controlled by hand or foot lever operating friction or gear clutches.

8. *Wrapper Cutting.*—With the use of the automatic wrapping machines, overcutters and wrapper cutters largely supplant paper slitters. The wrapper cutter is used to cut the corners, mitres, etc., of the piles of paper stock previously cut and dimensioned on the overcutter. Selecting and setting the upper and lower corner cutting knives and operating the machine involves much the same type of skill as described under cardboard corner cutting.

D. EMPLOYEES PAPER CUTTING DEPARTMENT

1. *How Recruited.*—It will be remembered that only 8.65 per cent. of all employees in the 10 factories visited were working in the paper cutting department and all engaged in paper cutting were males. Females were employed in counting and straightening labels, etc. As with the work of cardboard cutting and scoring, paper cutting represents the high point of knowledge and

skill of the industry. Workers are fairly stable, there being a minimum amount of shifting from factory to factory. Table 10, Want Ads, show that six ads were placed for male paper slitters and six ads for boy slitters. Table 11 shows that these twelve males advertised for were 1.19 per cent. of all help sought.

2. *Selection of Beginners.*—The same facts relative to selection of beginners enumerated under this topic under cardboard cutting pertain also to paper cutting, there being however a few minor differences. No laborers were found at work on full time in this department. The waste is usually removed by either the shop and factory porter or preferably by a boy who is learning to be a paper cutter.

3. *What Beginners Were Doing.*—One young man rated by the foreman as a beginner was serving as an assistant, operating the table shears and the slitter that had been set by the foreman.

Two young men were employed cleaning waste from the floor and from the machines and operating the paper slitter after it had been set up by the paper cutter.

These three beginners also carried stock to the other cutters, placed stock on the shelves and sometimes supplied the cut stock to the strippers, wrappers and table workers.

4. *Personal Histories.*—One foreman of the paper cutting department, now about 43 years old, started in as a helper on the glue table. He then went to the cardboard cutting department operating corner cutter, corner stayer and finally became cardboard scorer. He then went to the paper cutting department as slitter and overcutter and finally became foreman of this department.

One head paper cutter, now about 56 years old, began at 23 as a floor and machine cleaner. He was promoted to the foot corner cutter, to power corner cutter, to corner stayer, to scorer, then to overcutter in the paper cutting department and then to head paper cutter.

5. *Lines of Promotion.*—In general, the tendency in this department is to employ as beginners only promising young men. Their first work is cleaning machines, removing waste, etc. Then, after a preliminary familiarity with the slitter or sheet cutter they are allowed to operate these machines previously set up by the head cutter. Hand table shears may also be operated

by beginners. At a later stage, they are allowed to operate the wrapper cutter and the final machine to which they are assigned is the overcutter. One is considered a paper cutter when he is able to successfully compute and judge stock, and successfully operate all machines previously described.

The general basic factors upon which promotions depend are identical with those enumerated under cardboard cutting.

6. *Deductions Relative to Education.*—The knowledge and skills required for efficiency in the paper cutting department depend upon the following:

1. Relative to computing, materials, etc.
 - (a) Ability to read and write English.
 - (b) Ability to compute.
 - (c) Knowledge of materials and stock.
 - (d) Knowledge of box construction.
 - (e) Ability to use the card catalogue.
2. Relative to machines.
 - (a) Care of machines.
 - (b) Setting up machines.
 - (c) Controlling and operating machines.

The details under these various heads are so similar to those outlined under cardboard cutting, that for the purpose of this study, it is unnecessary to enumerate them again. The main differences are incident to difference of material and varying types of machines. It is reasonable to assume in the paper cutting department as in the cardboard cutting department, that one completing an elementary school course organized as previously described under the head of cardboard cutting, and with two or three years' experience within the department would have the basic knowledge and skills necessary for success and promotion. However, in this department as in the cardboard cutting department, it is probable that few paper cutters have had the complete advantages of such opportunities and that many stable and dependable workers fail to become successful in this department because of the lack of rudimentary knowledge. It is therefore suggested that two short unit courses be provided for paper cutters.

1. *Erecting Defined.*—Erecting includes fastening corners together by means of paper, muslin or cardboard flange. It may be accomplished on the glue table, corner staying machine or automatic erecting machine. Bending the flanges or cardboard sides for the corner stayers also comes under this head. This may be hand or machine work. Attending automatic machines and piling erected boxes from automatic machines together with hand piecing of sides or ends and automatic and piecing is here included.

2. *Order System.*—None of those employed in this department come in direct contact with written orders similar in scope and content to those listed under cardboard and paper cutting. As the cardboard blanks reach these operators cut and scored, the size, shape and number are already determined. The directions which corner stayers receive are usually given orally and pertain to material to be used in corner staying. The material used is generally rope. Likewise orders for flange bending and machine ending are received orally. In case automatic erecting machines are used, the machinist is given a cardboard blank and told to set up the machine accordingly. It is thus seen that workers in this department require but a minimum knowledge of all the factors enumerated in the order systems under paper cutting and scoring.

3. *Machine End Setting.*—End setting is the process of glueing the cardboard ends to the flanges or flaps on the bottom and sides of the box. Ends may be pieced to the boxes in order to save stock or increase strength. Ending may be done by hand or by machine, but in either case males are employed. Automatic end setting machines are in common use in the trade. These machines may be used successfully for any size box within the machine range. Such machines automatically paste and feed the end pieces and with great pressure attach them to the flanges of the box blank which is placed upon the form. Operating essentials of all machines observed in use are similar.

Setting Up Machine. Ordinarily the operator sets up and adjusts his own machine. The hopper for the cardboard end blanks as well as the paste rolls is adjusted by turning a crank. The metal form over which the flanges of the box are placed is adjusted in like manner. In one of the machines in use, the hopper, paste rolls and form are simultaneously set by one con-

trolling crank. The feeder may be so adjusted and graduated as to positively feed and set any desired width of blank. This is accomplished by adjusting the feed tongue. No change of pressure tension is needed for various thicknesses and kinds of cardboard. The paste is contained in a paste pan and the amount fed is regulated by adjusting the feeding members.

Operating Machine. The end blanks are placed in a hopper. The box flanges have been previously bent. The operator folds the box blanks and places the box over the form so that flanges are resting upon the metal form. Applying the power to the machine by a foot lever automatically attaches the end to the box.

Knowledge and Skill Required. These consist of successfully setting up and operating the machine as previously described.

4. *Extension Edge Setting Machine.*—These machines attach the extension tops and bottoms to the cardboard boxes. The hopper and paste rolls are adjusted as described under end setting machine. The receiving form is so adjusted that the erected box may rest upon it snugly. The control and operation is similar to the control and operation under end setting.

Knowledge and Skill. These are similar to those described under end setting.

5. *Double End Setting Machine.*—This machine automatically pastes and sets both ends simultaneously and also delivers the erected box. It may be adjusted to handle boxes of varying shapes and sizes. Where this machine was observed in operation, the machinist was responsible for setting up and adjusting. However, in one case, the machinist had trained the machine operator so that he could set it up. As the successful operation of this machine depends upon it being properly set up, and as this setting up is usually done by the machinist and is the work of a machinist, it is not studied here in detail. This machine comes under the head of automatic machines which are usually set up by machinists and fed by young men or women. The finished box being removed by young women. There are no special operating features requiring skill. Feeders must supply the machine with the necessary blanks and must apply the power to the machine by means of the hand lever. Receivers remove the erected boxes from beneath the machine.

Knowledge and Skill. Knowledge and skill are not factors in any way save as described under feeding blanks and controlling power.

6. *Flange Bending.*— Flange bending is accomplished either by hand or by machine. It is bending the sides of the box blank on the scored lines. When done by hand by a female for a female corner stayer, the flange benders are apt to become corner stayers. Machine flange bending is usually done by males who may also be enders, corner stayers or glue table hands.

Setting up the automatic flange bending machine involves adjusting the hopper and flange bending arms to properly accommodate the cardboard blank. Setting up the steel roll flange bending machine involves setting the feeding gauge and adjusting the pressure screws upon each pair of rolls.

Operating the automatic flange bender involves placing the cardboard blanks in the hopper and controlling the power. Operating the steel roll flange bender involves feeding by the blanks by hand.

Knowledge and Skill. As revealed by the above descriptions, a minimum of knowledge and skill is required.

7. *Tabbing Machine.*— The tabbing machine was found in only one factory and it is regarded as a very special machine for which special operators have to be trained by either the selling agents of the machine or by machinists. The machine observed attached the corner staying material to the paper wrappers which were subsequently to be used upon the automatic wrapping machines. As this work involved only one operator, it is not studied in detail.

8. *Corner Staying Machine.*— The corner staying machine attaches, under pressure, the cloth, paper or other corner staying material to the corners of the boxes or covers. Two types of corner staying machines were observed in use: the plain corner stayer and the turn-in corner stayer. With the plain corner staying machine, a strip of material the height of the box or cover is attached to the corner, while with the turn-in corner staying machine a strip one-quarter of an inch longer than the height of the box is attached to the corner, the extra one-quarter of an inch being automatically turned in on the inside of the box or cover. Corner staying machines were found to be operated by both males

and females. The actual number of each sex being employed is given in Table 15.

Setting up Machine. Machines when operated by males are usually set up by the operator, but when operated by females may or may not be set up by operators. The anvil over which the blank is placed must be adjusted to the depth of the box or cover. This is possible within certain limits; otherwise anvils must be changed to meet conditions. Pressure on the head must be adjusted according to the thickness of the cardboard and the corner staying material. The corner staying material must be mounted on the reel shaft; the strip must be threaded between the moistening-pot wheel and the tension control and between the two folder jaws and the controlling fingers. The amount of moisture remaining on the gummed surface of the corner staying material depends upon the adjustment of the tension scraper above the moistening wheel. This adjustment depends somewhat upon the material used, the length of cut and atmospheric conditions.

Operating. The corner staying machines are foot controlled and a successful operator can feed and cut the four corners with four successive strokes of the machine. This machine is the most dangerous in use in the industry, the danger point being between the head and the anvil, where the operator's fingers are apt to be crushed. Several types of guards have been observed in use, but the operators, nearly always piece workers, are loath to use these types, claiming that they reduce speed. The most promising safety device observed was a collapsible joint concealed in the head of the machine.

Knowledge and Skill. These consist in being able to set up machine as described and in speedy and accurate feeding.

9. *Quadruple Corner Staying Machine.*—The quadruple corner staying machine automatically erects and simultaneously corner stays the four corners of the box and delivers the stayed box upon a moving apron.

Setting Up Machine. The successful operation of this machine depends upon the way it is set up and adjusted. This work is done by either a machinist or by an operator specially trained for this purpose. This is primarily the work of a machinist in-

volving machinist's skill and is, therefore, not discussed in this study.

Operating. The blanks are fed into the hopper and the power is controlled by the hand lever. Boys may be employed to feed the machine and girls to receive and pile the erected boxes.

10. *Automatic Setting Up Machine.*— This machine does not corner stay boxes, but bends, erects and glue all sizes and shapes of double end boxes and cartons. Success in operation depends upon proper machine adjusting and setting up. This may be done by either a machinist or a specially trained operator. Blanks are fed to the hopper, and the erected boxes are received from below the machine. Feeding and receiving may be done by a young man or a young woman. This machine also belongs to the automatic class, and as its operation depends more upon the skill of the machinist than the paper box maker, it is not studied here in detail.

11. *Metal Edge Cornering Machine.*— Metal edge cornering is corner staying boxes and covers with metal strips instead of cloth or paper. This corner staying machine feeds, cuts and nails the metal edge at one stroke. This machine is usually set up by the operator. The die or anvil may be adjusted to any length within the range of the machine, the length depending on the height of the box or cover. The roll of metal staying material is set in the reel and fed automatically from the reel to the throat which leads to the die of the machine and by an arrangement of sprawls the strip is fed exactly the desired length. On the down stroke of the die the strip is cut by a knife and driven home on the corner of the box. The machine is, in the main, operated and controlled in a manner similar to the corner staying machine.

Knowledge and Skill. These consist in setting up the machine and feeding.

12. *Wire Stitching and Nailing.*— These topics are treated under the head "Folding Boxes."

13. *Glue Table Work.*— Glue table work as observed, consists of framing stock shelf boxes, piecing ends, pasting or glueing sides and rims of round and oval hat boxes, inserting partitions and in setting up boxes. All glue table workers observed were males. The equipment consists of a large zinc or tin lined table with

gas heated glue pot mounted in the center. All glue is applied directly to the cardboard with glue brushes.

1. Framing. Framing is glueing a strip of wood to the inside upper edge of the sides and ends of the cardboard box in order to strengthen it. Stock shelf boxes are usually so constructed. The saw table operator prepares the strips of wood and the glue table man applies the glue to the strips, allows the glue to temper and then presses the strip in place within the box.

2. Piecing. By piecing, separate end blanks are attached to the side flanges of the sides and bottom. Glue is applied to the bottom flanges of a series of cardboard blanks and after tempering, the ends are pressed down in position. In some cases a mallet is used to insure sufficient pressure. The boxes are then set up by applying glue to the side flanges, allowing glue to temper and then pressing sides against the flanges.

3. Glueing sides and rims of round and oval hat boxes. Glue is applied with a brush to one side of the cardboard strip and after being tempered, the other side is bent over and pressed down.

4. Setting Up Boxes. This consists of applying glue to side flanges, allowing glue to temper and pressing sides against flanges.

5. Mounting Partitions, etc. Inserting and mounting cardboard partitions involves applying glue with a brush to board, allowing glue to temper, placing and pressing down partitions in proper place.

Knowledge and Skill. 1. Glue. Glue table men must prepare their own glue and regulate the gas heater. They must have mastered the technique for caring for glue during all seasons of the year and must know how long glue should stand after being applied in order that it be properly tempered. 2. Box Construction. Glue table men must understand the methods of box construction as it pertains to erecting boxes, placing ends, mounting partitions, etc.

F. EMPLOYEES ERECTING DEPARTMENT

It will be remembered that 10.62 per cent. of all employees in the factories visited were engaged in this department and that 58 per cent. were males and 42 per cent. were females. Table 10 shows that advertisements were inserted for the following in this

department: 90 corner stayers, 7 machine enders, 11 glue table workers and 2 mailing machine operators. From Table 11 we see that these represent 14.55 per cent. of all "want ads" listed.

1. *Selection of Beginners.*—No consistent policy for selecting beginners for work in this department was found in any of the factories visited. Placing beginners in this department depends in the main upon the immediate need rather than fitness of beginners for the work. In general, foremen are of the opinion that beginners should be under twenty and should be males, although there seems to be a growing tendency to employ young women between the ages of 15 and 17 as flange benders in order that they may become corner staying operators.

2. *What Beginners Were Doing.*—One young man was employed framing stock boxes under the direction and supervision of the glue table man. He also will probably become a glue table man.

One female was bending sides by hand for corner staying operators who were also females. The chances are that she will become a corner staying operator.

Four females were piling stayed boxes from the quadruple staying machines. This leads to no other work. If promotion ever occurs, it will be by being moved to some other part of the factory on work entirely unrelated to this. In the case of one of these four women so employed, the foreman contemplated promoting her to the glueing machine. Concerning the other three young women, the foremen had not considered at all the problem of promotion.

Two females were engaged in piling and closing from the automatic setting up machine. This leads to no other work.

3. *Lines of Promotion.*—It is difficult to establish probable and general lines of promotion for all the fields enumerated. Promotions within certain ranges, however, are possible and probable. End setting machine operating and extension edge setting machine operating are apt to be terminal points. The flange bender may become an end setter or the end setter may become a glue table worker although this is not so liable to occur. Feeding and receiving from the double end setting machine may be terminal points. If the feeder be a male with ability, he may be

skillful enough to learn how to set up the machine, this work being a decided step in advance. Receiving from the double end setter leads nowhere.

Corner Staying. Where corner staying machines are operated by males, this work may be a step in the scale of promotion to scoring machine or may be a terminal point. When pursued by females, this work is always a terminal point. The chances are that where females are employed as hand flange benders, the flange benders will become corner stayers. Receiving and feeding from the quadruple staying machine and automatic setting machine leads nowhere. If feeders be males, they may become proficient enough to set up their machines. Operating the metal corner stayer is apt to be incidental work and be performed by a beginner. Young men employed as glue table assistants are apt to become glue table workers. Glue table work is a terminal point.

4. *Deductions Relative to Education.*—The only work in this department requiring any amount of knowledge and skill is that of the machinists who set up and adjust automatic and specialized machines. As these skills are machinists' skills, no deductions relative to education or training are here made. To be sure, certain degrees of knowledge and skill are required in all of the phases of the work described, but it is contended that no elements of knowledge and skill are necessary which cannot be well acquired within a reasonable time within the factory itself. The simple skills required by the glue table workers are no exception to this rule as it is thought they can be easily acquired by observation and experience. Considering these factors, it is concluded that no provision for vocational training other than that now offered within the industry itself would be profitable or advisable for workers of this department.

G. PAPERING AND FINISHING DEPARTMENT *

Under this general head is included all work of covering the cardboard boxes with paper. It includes such general process as stripping, turning in, top and bottom labeling, table working, gum table working, machine wrapping, lacing, etc.

* These are not trade terms, there being no trade terminology to express all the operations grouped under this department. This grouping is recognized, however, within the trade, as forewomen are assigned to cover the fields enumerated.

TABLE 17
NUMBER AND SEX OF WORKERS AND PROCESSES IN PAPERING DEPARTMENT. TEN SOLID BOX FACTORIES

[illegible][illegible]

ORDER SYSTEM.

In this department the order system affects only forewomen. These forewomen, however, are apt to receive orders as to wrapping, covering, etc., either in oral or written form. Practically all workers in this field receive oral orders from forewomen.

1. *Stripping*.—Stripping is wrapping a pasted piece of paper of appropriate width around the sides and ends of the box and cover. It is ordinarily accomplished on the stripping machine and all stripping machines observed, were operated by females. It is believed that no males are employed in this work. Except where wrapping machines are in use, stripping engages a very large per cent. of all of the females within this department. Success in stripping depends upon successfully setting up the machine and quickly wrapping the strip of paper about the sides and ends of the box and cover.

Stripping Machine. Various makes of stripping machines were observed. These machines are variously termed, being called stripping machines, box covering machines, box papering machines, etc. Other types are single strip box covering machines, bench covering machines, bench cornering machines, sealing and binding machines, and lastly ordinary box covering machines capable of being adapted to any sort of ordinary work. By far the greater number of machines observed in use were the last named type. This being the case, this machine and its operation is studied to the exclusion of all the others.

Setting Up Machine. Operators as a rule are responsible for setting up and caring for their own machines.

Box Form. Box forms must be of such size and shape as to accommodate the box to be stripped. Some machines are equipped with adjustable forms capable of considerable range as to length and width. These adjustments may be made by cranks, wrenches, thumb screws, etc. Box forms may be hand or power actuated. Spindles for box forms may be adjusted for horizontal distances from form to cut off, vertical distance from form to floor and transverse distance from form to left and right sides of machines. These various adjustments are controlled by wrenches, hand levers, clamps and screws.

Cut Off. Cutting the paper strip at the appropriate place is accomplished by hand or power actuated, hand or foot lever control cut-off shears. Cutters may be adjusted for vertical distances from floor to cutter and horizontal distances from box spindle to cutter.

Strip Controlling Fingers. Fingers for guiding strips are adjusted and locked upon shafts of the stripping machines.

Speed. When cut-off and form are power actuated, speed adjustment must be made for varying sizes of boxes, varying qualities of paper, etc.

Glue. Glue must be supplied to the glue pan and gas flame or steam pressure regulated; also glue control scrapers must be adjusted so that proper amount of gum will remain on the paper.

Threading Machine. Rolls of paper or papers must be mounted at the end of the machine on the reel shaft. Paper must be threaded over the glue wheel, between controlling fingers, over or under shafts, between cut off blades and finally to operating end of the machine where box form is located.

Operating Machine. After successfully threading machine, adjusting form, speed, cut off, and glue supply, actual stripping is started. A single box or cover is placed on the form and paper strip is attached to the middle of side or end of box. With a power machine pressure is applied to foot lever, causing the form to revolve and cut off to operate at the proper moment. The operator holds a cloth in her hand with which she rubs down the paper against the cardboard, thus removing air bubbles, wrinkles, etc. Where machines are not power actuated, the stripper must turn the form by hand. A stripper also turns one edge of the paper over the bottom of the box and then passes it to the turner in who turns the top edge over the sides and ends.

Knowledge and Skill. As already suggested, stripping consists in properly caring for the glue supply, tempering glue, mounting rolls of paper on shafts, threading paper, adjusting form and cut off and finally in applying paper to box. No temperature tests are made to determine condition of glue, the ordinary method being by inspection and by observing as to whether or not the paper adheres readily to the board. The various combinations of paper observed on all stripping machines

were as follows: One single strip of paper; one trim strip and one single strip; two trim strips and one single strip; one trim and one single strip and one rope; two trim and one strip and one rope. Considering the number of stripping machines observed and the variety of work done upon them, it is reasonable to assume that these are all of the ordinary methods of setting up stripping machines. It is thus seen that strippers must know all of the various possible paper combinations, the order in which these strips should be placed on the shaft and also how the machine should be threaded in order to insure proper tempering of glue and orders of papers.

2. *Turning In.*—Turning in follows the stripping process, and involves turning the extra width of paper over the sides and ends of the box and cover. All turners in were females and all turning in was done by girls located to the left of the stripping machine.

Equipment. The equipment of a turner in consists of a cloth and perhaps a pointed stick, the cloth being used to rub down the paper, the stick being used to smooth the paper in the corners of the box and cover.

The work of turning in is as follows:

a. To help the stripper clean the stripping machine. This involves washing and scraping the glue from the glue rolls, shafts and cut off; draining glue from the glue pan at the end of the day and supplying glue to the pan the next morning.

b. Assisting the stripper in setting up and threading the machine.

c. Bringing the erected boxes to the stripper and removing them after they have been stripped.

d. Turning in and rubbing down from the stripper.

3. *Top and Bottom Labeling.*—Top and bottom labeling is applying the top and bottom label to the box and cover. This work is also limited to females and is accomplished either on the labeling machine or by hand. The machine labeling process is similar in principle to the stripping process, the same knowledge and skill being required.

4. *Wrapping Machine Combination.*—Where automatic wrapping machines are in use, the following machine combinations

and processes are involved; glueing machines, wrapping machines, shaping machines, and the process of closing from the wrapping machine. All operators observed within this combination were females.

5. *Glueing Machine.*—One glueing machine is usually sufficient for two wrapping machines. The glueing machine applies a thin coat of glue under pressure to the back of the wrapper. Gluers are so constructed that glue may be heated by gas or steam.

In most cases the shop porter fills the glue trough with glue in the morning and also drains the trough at night. The porter also usually regulates the steam pressure or the gas heat. At noon the operator must remove the corrugated rolls and release the brass roll from the rubber roll and upon returning to work again must mount these rolls in place. Power is controlled by hand lever, but glueing machines are usually kept in continuous operation. Glue operators feed labels singly by hand between the glue rolls and place the glued labels glue side up upon the revolving disc from which the wrapping machine operator receives them.

6. *Machine Wrapping.*—The machine wrapper attaches, automatically (tight or loose wrap) turns in, presses and brushes down the wrapper. The same machine may be set up for extension top and bottom boxes. Wrapping machines are always set up by a machinist or a special operator. The operator takes a gummed wrapper from the revolving table and places it glue side up on the small operating table before her and upon this wrapper she places the box in the proper position and inserts the box on the form of the machine. The wrapping machine automatically wraps the box and ejects the finished boxes by means of a metal ejector. Wrapping machines may be kept in continuous operation and a skillful operator will feed one box to the machine with each revolution.

Knowledge and Skill. Skill consists in applying power to the machine, placing the box upon wrapper and the box over the form.

7. *Shaping Machine.*—The shaping machine is used in some shops for shaping sides and ends of boxes and covers. Shaping

is accomplished by means of wooden jaws which press against the sides and ends of the box. All the operator has to do is to feed and remove boxes from the shaper.

8. *Closing from Wrapping Machine.*—Closing involves placing the cover over the box. Closers sometimes have to count, and, as a rule, have to pile closed boxes in crates and perhaps carry them to the packers. This work is usually done by beginners.

9. *Gumming Machine and Gum Table Workers.*—The gumming machine is used to apply paste and gum to wrappers, trimming strips, labels, hingeing strips, etc. Papers to be gummed are fed between gumming rolls and placed upon an endless belt conveyor which conveys them to table workers who apply these papers in the appropriate way to the boxes.

Operating Gummers. Gummers observed in operation were controlled by females. In most cases the shop porter supplies the gum to the machine and regulates steam heat or gas flame. Operator must apply power gummer to feed paper stock, etc.

Gum Table Workers. As this is very similar to table work, a detail description will be found under that topic.

10. *Table Working.*—Table working formerly involved setting up, wrapping, covering, and etc., an entire box. In some factories the term is still used in this way. In other factories it applies only to parts and sections of these processes. The exact nature of table working is best revealed by stating exactly what all females classed as table workers were actually doing at the time of the visit.

Taping. Fourteen females were observed doing this work. It involves inserting tapes through sides or ends of box or pasting tapes insides of boxes or covers.

Labeling. Labeling involves pasting top, bottom, side, or end labels to boxes or covers.

Tissuing, Lacing, Etc. Eighteen females were observed at this work. This involves pasting tissues, fly leaves or lace to sides or ends of box.

Mounting Pictures. Fourteen females were observed mounting pictures. This involves pasting a picture upon the top or inside of cover.

Attaching Extension Tops. Two females were observed doing this. It involves pasting a piece of cardboard large enough to extend over sides and edges to box or cover.

Hingeing. Two females were observed doing this. It involves pasting paper, muslin or tape strip hinges to sides or ends of box.

Mounting Partitions. Two females were observed doing this. It involves attaching cardboard partitions to box or cover and also covering them with paper.

Erecting Cornucopias. Seven females were observed doing this. It involves pasting together the sides of paper blanks cut in proper shape for cornucopias. This erecting is done over conical form.

Repairing. Four females were observed doing this. They were engaged in repapering portions of the boxes injured in shipment.

Shaping. Two females were observed doing this. It involves pressing together the sides or ends of the box.

Loose Wrapping. Seven females were engaged in doing this. It involves applying paste to the edges of the wrapper, folding wrapper over box, or cover, making necessary cuts in the wrapper so as to accomplish this folding, and rubbing down wrapper.

Cloth Covering. Three females were engaged in doing this and the work involves covering stock shelf boxes with muslin.

Finishing Novelty Boxes. Three females were engaged in doing this. This work involves what was formerly called table work. The work at hand consisted of folding the scored blank, erecting and corner staying, papering the blank, attaching trimming lace, ising glass and several muslin hinge strips. The product was a *novelty display case*.

Moulding in Top and Bottom. This work involves moulding in and staying top and bottom oval or round blanks for hat boxes, and top and bottom square or rectangular blanks for ordinary boxes and cartons. This method is employed for boxes of unusual shape or where great strength is required. Setting or staying material may be paper or muslin.

Trimming. Thirteen females were engaged in trimming. This work involves pasting strips of fancy paper, cloth, etc., to edges and corners of box and covers.

Corner Staying. Twelve females were engaged in doing this work involving corner staying with cloth and muslin.

Stripping Necks. Nine females were engaged in this work which involves stripping necks or shoulders for fancy candy boxes.

Inserting Necks. Seven females were engaged in this work which involves pasting finished necks or shoulders to the inside of the boxes.

Papering Partitions. One female was engaged in doing this and it involves covering partitions in small fancy boxes with paper.

Wrapping Boxes. Eleven females were engaged in wrapping boxes by hand. This involves attaching by hand, wrappers to boxes and covers.

Inspecting and Touching Up. One female was engaged in inspecting and touching up fancy cigarette boxes. Touching up was done with a colored crayon.

Setting Up and Papering Battery Boxes. Twenty-two males and one female were engaged in this work. It involves folding cardboard foundations over forms and wrapping printed labels around the cardboard, turning in at top and bottom and applying bottom label.

Knowledge and Skills. The knowledge and skills involved in table working are as follows:

a. **Box Construction.** Table workers must know all methods of wrapping, finishing, trimming boxes, etc., and be able to interpret all orders as to methods of doing the work and also to use initiative in case orders are incomplete and not entirely explicit.

b. **Knowledge of Stock.** Table workers must have a wide range of knowledge covering qualities of paper, trimming material, cloth, etc. This is necessary in order to obtain the proper materials and to select and apply proper adhesive. They must also know expanding and shrinking qualities of paper.

c. **Adhesives.** Table workers must know how to properly prepare glue, paste and gum; how to judge of their proper consist-

ency, time of tempering, etc. They must also know proper methods of applying these adhesives to the stock.

d. **Methods of Applying Adhesives to Papering Material.** Table workers must know various methods of applying adhesives to papering material, must know which method to adopt, and must be skillful in performing this work. Two methods of applying adhesives by hand were observed. 1. A thin coating of adhesive is spread with a large brush on table, glass or zinc. Papering stock is held by the corners in two hands and with a quick motion slapped against the adhesive on the table. This slapping is repeated till the stock is entirely covered with adhesive. 2. The second method of applying adhesive to stock is by direct application with a brush.

e. **Applying the Gummed Stock to the Box.** Table workers must know the best method of applying stock to the box for tight and loose wrapping, hingeing, lacing, stripping, labeling and finishing.

11. **Machine Lacing.**—The machine lacer attaches, under pressure, the lace or tissue to the edges of sides and ends of boxes and covers. In every case observed, lacing machines were set up by machinists or special operators. Operating the lacing machine involves holding the side or end of the box against machine flange till machine has completed the process.

Knowledge and Skills. Skills consist in quickly placing box over flange and holding firmly in position until the machine completes the process.

12. **Steam Doming.**—By use of the steam doming machine, box covers are domed. When the domer is operated by females it is set up by the machinist, but when operated by males, the operator sets up and adjusts steam pressure, etc.

13. **Incidental and Special Machines.**—Considering the fact that so few are employed on machines or engaged in process under this head, no detailed study here is made of this work.

H. EMPLOYEES PAPERING DEPARTMENT

1. **How Recruited.** Beginners are recruited by want ads, by placing signs upon the door of the factory and by old employees who bring friends and acquaintances with them. Table 8 shows the occupations under this section for which want

ads were printed. There were 180 want ads for strippers, 208 for turners in, 47 for top labellers and 14 for machine wrappers. Reference to Table 9 shows that 73.29 per cent. of all want ads were for help in the papering department. It will be noted that with few exceptions, all want ads placed are for workers for particular lines of work and particular departments, not merely for paper box makers. As would be expected the greater number of want ads are found where the greater number of employees are employed. The occupations employing the greatest number and for which most advertisements were placed were stripping, table working, etc.

2. *Selection of Beginners.*—Two factory superintendents stated that during the dull season, they aim to employ two or three or more promising beginners, hoping that they would be well trained before the beginning of the rush season. In the main, beginners, as they are termed, are desired between the ages of 15 and 18, few employers desiring beginners older than 18. In the main, nationality is no factor. The three determining factors seem to be morality, general build and health. Undersized girls do not seem to be wanted. On the other hand, certain shops are willing to employ anyone whose services can be obtained. Foremen of such shops have definitely stated that they were glad to get female help of any kind. In two factories, employment departments were found. In these cases, greater care was exercised in determining the fitness of the individual for the work required of her. One manager said that nationality was a great factor and that, if possible, he would never employ Italians as he preferred Americans or Swedish or German Americans. He also attempted to determine the department in which a beginner would do the best work by noting her speech, manner, personality, etc. His conclusions were that a young woman, light in weight, quick in speech and generally alert in manner, could be trained to become a highly successful machine operator; also that a heavier girl, slower in speech and general action, would not be so apt to succeed upon machines as she could not develop the requisite speed.

It was noted, however, during the factory visit that girls of both types were working with equal success side by side upon the same machines and under the same conditions. He also pre-

ferred very tall girls capable of long reaching for operating certain stripping and glueing and special machines. This manager deplored the fact that no adequate tests for determining capacities and interests had been worked out and he expressed his willingness to experiment with any set of tests which might be suggested to him. He suggested that perhaps he would hereafter make certain tests regarding vision, including far and near sightedness and color blindness.

In hiring experienced workers, these factors just suggested were not considered to any degree, the basis of selection being previous experience, years of service in various factories and previous wage. It was found, however, in the main, that foremen and managers have no clear idea of the qualities and characteristics for which to look in beginners or experienced help, having never analyzed the skills involved in the various occupations within the industry.

3. *Placing and Trying Out Beginners.*—The trying-out period is generally limited to one week during which time a low weekly wage is paid. This period should probably not be called a "trying-out" period as it is very seldom that any girl is rejected after the first week in the factory. The fact that this "trying-out" period is limited to a week has been interpreted by some to mean that the occupation is learned within that length of time. This however, is not considered to be a correct interpretation, it being believed that after this period the girls are considered as part of the factory organism, and that they are thereby accepted within this organism. It was noted that as a general rule the tendency was to keep beginners for the whole week upon the work at which they were placed the first day. This work usually involved only one operation. The process at which beginners are afterwards placed, is determined in the main, by the processes performed during the first week. Thus, it is seen that the channel or groove into which the beginner is placed upon the entrance to the factory, really determines and conditions the place which she is permanently to occupy.

The forelady usually tells the beginner where she is to work, what she is to do, and, after spending a few moments with her in performing for her the work she is to do — asks one of the girls working nearby to keep an eye on her and help her if she

needs help. This is the usual method of training beginners for their factory work. The place at which beginners are most apt to start are closing and tying up, floor work, inserting tissue, tape, etc. In a few cases, beginners are immediately placed on some simple machine. In one factory the foreman places the beginner for the first week with one of a particular group of girls whom he thinks have special training ability. The work of these girls during the week involves a number of occupations and operations. After this first week, the beginners are placed at the work for which they have shown the greatest interest and in which they have been most successful.

4. *Training Beginners.* In the ordinary paper box factory, the beginner is told by the foreman that she is entering a trade of great promise, that the work is easy, hours short, wages good and that if she is ambitious, there are unlimited opportunities for promotion and that perhaps she may become a forelady. After this preliminary statement, her work is assigned to her by the forelady who tells some more or less interested neighbor to watch and help her. In the main, she must learn the process by observation and imitation. She may, however, discover by chance new short cuts. In one of the best factories of the State the superintendent tried to work out a plan for really training the beginners so that they would learn several occupations and be able to make good wages. He organized a sample department where all special orders and sample boxes were to be manufactured. Each beginner was placed for a period of a month in this sample department. She was kept at one operation for a number of days until she knew what was involved and had acquired reasonable speed. She was then shifted to another department and so on till she had completed the entire series of processes. This plan was given up in a few months as the girls themselves resented the idea very keenly. The beginners preferred to be immediately placed in the main factory on one particular job and remain there indefinitely. This is the nearest approach to a plan for training workers that was found.

5. *What Beginners Were Doing.* Three females were inserting and pasting tapes to the sides of boxes. These females will probably become table workers.

Five females were rated as assistant table workers, their work being to provide paper stock, paste, etc., as well as to assist on simple operations. These females will probably become table workers.

One female was closing from the table. She will probably become a table worker.

Two females were piling from the quadruple stayer. This work leads nowhere.

Two females were operating the thumbing machine previously set up by machinist. This work leads nowhere.

Three females were folding and inserting tissue. This may lead to any work within the department, but is a direct preparation for nothing.

Two females were closing and tying up. This may lead to any work within the department, but is a direct preparation for nothing.

One female was repairing necks. This may lead to table working.

One female was carrying and removing boxes to and from top and bottom labeller. This may lead to top and bottom labelling.

One female was turning in. This leads to stripping.

One female was closing from the wrapping machine. This may lead to operating the glue machine which in turn may lead to operating the wrapping machine.

6. *Personal Histories.* One forelady started in the factory as closer and tier up. She became a turner in, then a stripper, after this a table worker, then a top labeller and then returned to stripping. This is an unusual experience as strippers seldom become table workers and table workers seldom become or return to stripping.

One forelady started as a closer from table workers. She became a table worker and is now the forelady, not only of the table workers, but strippers as well. She has never operated any machines.

One forelady started as turner in. She became a stripper and is now forelady of strippers, wrappers and table workers. She has never operated any machines, other than strippers.

One forelady started in as a closer and tier up; she then went

to the table as setter up, stripper, trimmer and finisher. After this she became the forelady of strippers and table workers. She has never operated any machines.

Two foreladies started as glue machine operators, were promoted to wrapping machine operators and then became foreladies of wrapping machine operators, corner stayers, etc.

One forelady started as a table assistant. She became a table worker and is now forelady of the wrapping and corner staying machines.

One forelady started as turner in, became a stripper and is now forelady of the table workers and strippers. Her promotion was undoubtedly due not to efficiency but to pull.

7. *Lines of Promotion.* Workers listed under papering, fall into definite groups. Promotion, as a rule, is confined to steps within the group, there being little shifting from group to group, the terminal points of each group not being related to any of the other terminal points. The trade recognizes certain channels as being clearly defined and more or less permanently fixed. The terminal points of the various channels are stripping, top and bottom labeling, table working, gum table working, and wrapping machine operating. In the main the beginning work in every case is floor working, including closing, tying up or counting. Chart 3 graphically represents these channels and indicates the terminal points. The channel into which a beginner enters depends largely upon the immediate need for workers within the group, and the particular individual chosen is apt to be the one working nearest to the vacancy. Thus, if the beginner is at work closing from the table workers and working near them, she is apt to become a table worker, while on the other hand if she be closing from the wrapping machine and working near it, she is apt to become a glue operator and finally a wrapper. It is thought that individual qualities and capacities are considered but slightly in placing employees. As in all factory work, it is not to be assumed that all individuals are promoted from step to step and that all sooner or later reach one of these terminal points. To many each step becomes a terminal point.

CHART 3
THE POSSIBLE LINES OF PROGRESSION OF EMPLOYEES WITHIN THE PAPERING DEPARTMENT

| TERMINAL POINTS: | Stripping | Top and bottom labeling | Table working | Gum table working | Machine wrapping |
|------------------|--|------------------------------------|---|--|--|
| PROMOTION STEPS: | Turning in. | Perhaps stripping. | Hingeing. Finishing. Papering. Labeling, trimming. Moulding, top and bottom. Setting up. Taping. Table assistant. | Gum machine operator. | Glue machine operator. Glue machine assistant. |
| | | Turning in. | | | Perhaps operating shaping machine. |
| | Closing and packing from stripping. | Closing and packing from labelers. | Closing or packing from table workers, etc. | Gum machine assistant. Closing or packing from gum tables. | Closing from wrapping machine. |
| BEGINNING WORK: | Floor work: Closing, tying up, counting, thumbing machine. | | | | |

Steps in Promotion. (See Chart 3.)

Stripping. Start at closing and piling from strippers, promotions to turning in and finally to stripping.

Top and Bottom Labeling. Start at closing and tying up, then perhaps to turner in and then to stripper, or to top and bottom labeler.

Table working. Start at closing, tying up, etc., promotion to closing from the table and then through any or all of the following processes to table working: taping, folding, setting up, moulding, top and bottom labeling, trimming, papering and wrapping, finishing, hingeing, etc. When one can successfully perform all of these operations, she is rated as a tableworker.

Glue Table Working. Start at closing, tying up, promotion to gum assistant removing gum labels, etc., then to gum machine operating, then to gum table working.

Wrapping Machine Operating. Start at closing, tying up, etc., promotion to closing from wrapping machine to shaping machine, then to glue machine assistant, then to glue machine operator, and then to wrapping machine. No commonly accepted channels lead to lacing or special machine operating.

Factors Upon which Promotion Depends. Promotion seems to depend upon youth, demonstrated ability to work throughout the

day without fatigue and loss of speed, regular daily attendance and becoming "factory wise." "Factory wise" includes knowing in a preliminary way something of the operating of the machine to which she may be promoted, knowing the various operators, foremen, forewomen, as well as exhibiting not only a general interest in the factory but intelligence in approaching problems.

Specialization. As already stated there is a marked tendency for departmental specialization, foremen desiring that girls remain at work continuously at the process in which they have become proficient. The weakness of this specialization is that girls lose time when receiving orders of a character requiring special or unusual work. In one factory the foreman insists that girls should be shifted so as to learn more than one operation. On the office roll, stars are placed by the names of all girls who can perform more than one operation, the number of stars representing the number of operations each can perform. Girls with three or four stars are considered as especially valuable and every effort is made to retain their services. In this factory, however, there is no shifting from department to department.

8. *Deductions Relative to Vocational Training.* Reviewing the description and analysis of all work under this section, it is found that no knowledge or skill at all comparable to that required in either cardboard or paper cutting is required in this department. Computing is limited to addition. Knowledge of stock is practically limited to stock designations. Knowledge of box construction is required to a greater or less degree of all workers in this department, but as all stock is prepared before reaching them, this knowledge is of an appreciative, rather than of a constructive nature, save as it is related to the work of the particular operation. It is contended that one with a reasonable length of experience within the factory may acquire all necessary information as well as all skill incident to successful work within the department. The workers who cannot acquire this knowledge and skill within the range of factory experience will be little benefited by any school vocational training, as all the school could do would be to duplicate these same factory conditions. In view of these facts the conclusion is that no system of vocational

training other than that already provided within the industry is either necessary or advisable, for workers in the papering department.

I. SUMMARY OF DEDUCTIONS RELATIVE TO VOCATIONAL TRAINING IN THE SOLID BOX INDUSTRY

Cardboard cutting and scoring and paper cutting and slitting, are considered fields where short unit courses might well be established for workers already employed in these departments. These two fields represent only 14.80 per cent. of all workers in the solid box factories visited and these two fields are entirely limited to men. Short unit courses are also recommended for prospective foremen of cardboard and paper cutting departments. These two fields of foremanship employ but 2.50 per cent. of all workers in the ten factories visited. It is concluded that no vocational training other than that now offered within the trade is at all necessary for employees in the erecting and papering departments. These two fields represent 82.70 per cent. of all workers. In summarizing, vocational training in the form of short unit courses is recommended for 17.30 per cent. of all workers, these being males in cardboard and paper cutting departments, no further vocational training is recommended for the employees in the papering and erecting departments. These employees are mostly females and represent 82.70 per cent. of all employed in the ten factories visited.

B. THE FOLDING BOX INDUSTRY

1. *Folding Box Defined.* In general terms, a folding box is one which leaves the factory flat and must be either wholly or partly erected before being used. Folding boxes may be of any size or shape and may be lock cornered, wire stitched, riveted or side and end glued. As a rule no labels are attached, all printing being done on the cardboard. In this discussion the term "folding box" includes such boxes as suit case, cake, etc., but does not include heavy cardboard and corrugated containers.

2. *General Description of the Process of Manufacturing Folding Boxes.*—Upon receiving the order for the box, the factory superintendent sends a written order, diagram or sample box to the

die maker. This order specifies stock to be used, methods of construction, etc. The die maker manufactures the die and locks it in the chase, after which the pressman mounts the chase in the press, adjusts platten, etc. The stock is fed in the creasing press and thus the blanks are cut and creased or scored. Printing, if required, may be done before or after cutting or creasing. The pile of cut and scored blanks then go to the stripper, whose work is to remove the waste portions of board from the main cardboard blank. Thus far, in the main, the processes described are carried on by males. If the sides and ends of the box are to be glued, this glueing is done by females on either hand-fed or automatic glueing machines. If the sides and ends are to be riveted or wire stitched, it is done on the wire stitching or riveting machine by either male or female operators. Many types of folding boxes of special design and unique construction are manufactured, but speaking in general terms, these are the type processes involved.

3. *Groups of Occupations in the Manufacture of Folding Boxes* — Those employed in the folding box factories may be grouped under the following general heads: factory superintendents, die makers, cutters and creasers, strippers and folders, table workers, tapers and stitchers, gluers, and those employed in miscellaneous operations. Table 18 gives the number and sex of all employed within these various groups. It will be noted that 36.87 per cent. of all workers are males and 63.15 per cent. females. Males and females are distributed in the various departments as summarized in Table 19.

TABLE 18
NUMBER AND PER CENT. OF ALL MALES AND FEMALES, IN GROUPS OF OCCUPATION, IN FOUR FOLDING-BOX FACTORIES

| DEPARTMENT | Per cent. of total | Total | FACTORY NUMBERS | | | | | | | |
|-----------------------------------|--------------------|-------|-----------------|--------|-------|--------|-------|--------|--------|--------|
| | | | 9 | | 11 | | 12 | | 13 | |
| | | | Male | Female | Male | Female | Male | Female | Male | Female |
| Factory superintendents..... | .63 | 3 | ..... | ..... | 1 | ..... | 1 | ..... | 1 | ..... |
| Die making department..... | 5.89 | 28 | 27 | ..... | ..... | ..... | 1 | ..... | ..... | ..... |
| Cutting, creasing department..... | 30.23 | 143 | 55 | 70 | 5 | ..... | 9 | ..... | 4 | ..... |
| Stripping and folding..... | 12.88 | 61 | 40 | 10 | 3 | 3 | 7 | 1 | 1 | 1 |
| Table working..... | 8.88 | 42 | ..... | 42 | ..... | ..... | ..... | ..... | ..... | ..... |
| Taping, stitching, etc..... | 10.15 | 48 | ..... | 39 | ..... | ..... | 1 | 30 | 8 | ..... |
| Gluing..... | 28.76 | 136 | 1 | 135 | ..... | 4 | ..... | 13 | ..... | ..... |
| Miscellaneous..... | 2.54 | 12 | ..... | 3 | ..... | ..... | 2 | ..... | 7 | ..... |
| Totals, male and female..... | ..... | 473 | 174 | 299 | 123 | 248 | 21 | 44 | 21 | ..... |
| Per cent., male and female..... | 100.00 | ..... | 36.87 | 63.13 | 33.15 | 66.85 | 66.67 | 33.33 | 100.00 | ..... |
| Total each factory..... | ..... | ..... | ..... | ..... | 371 | ..... | 65 | ..... | 21 | ..... |

TABLE 19
DISTRIBUTION, BY SEX AND DEPARTMENTS, OF ALL WORKERS EMPLOYED IN FOUR FOLDING-BOX FACTORIES

| DEPARTMENT | Total | Total male | Per cent. male | Total female | Per cent. female |
|---------------------------------------|-------|------------|----------------|--------------|------------------|
| Factory superintendents..... | 3 | 3 | 1.8 | ..... | ..... |
| Die making department..... | 28 | 28 | 16.1 | ..... | ..... |
| Cutting and creasing department..... | 143 | 73 | 42.0 | 70 | 23.0 |
| Stripping and folding department..... | 61 | 51 | 29.3 | 10 | 3.0 |
| Table working..... | 42 | ..... | ..... | 42 | 14.0 |
| Taping, stitching..... | 48 | 9 | 5.1 | 39 | 13.0 |
| Glueing..... | 136 | 1 | 0.6 | 135 | 45.0 |
| Miscellaneous..... | 12 | 9 | 5.1 | 3 | 2.0 |
| Totals..... | 473 | 174 | 100.0 | 299 | 100.0 |

4. *Analysis of Groups of Occupations.* a. *Die Making.*—Table 21 shows the number and sex of workers in this department. Die making involves manufacturing the die which cuts, creases or scores the cardboard blank. Dies are usually made of steel cutting and creasing rules, cut and bent in appropriate sizes and shapes, being supported and justified with either wood or metal blocks and locked in metal chases. The larger factories have their own die making departments, but the smaller shops obtain their dies from special die making factories. Die making is a trade separate and distinct by itself and seems to provide, as at present organized, opportunity for training young workers, although no organized apprenticeship system was discovered. Selection and training of workers in the die-making department is not considered in further detail in this study. Die making is the most highly skilled work in the manufacture of folding boxes.

TABLE 20
NUMBER AND SEX OF FACTORY SUPERINTENDENTS, FOUR FOLDING-BOX FACTORIES

| | Total male and female | TOTAL | | FACTORY NUMBERS | | | | | | | |
|----------------------------|-----------------------|-------|--------|-----------------|--------|-------|--------|-------|--------|-------|--------|
| | | Male | Female | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Female | Male | Female | Male | Female | Male | Female |
| Factory superintendents... | 3 | 3 | ..... | ..... | ..... | 1 | ..... | 1 | ..... | 1 | ..... |
| Total male. | 3 | 3 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Grand total.... | 3 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |

TABLE 21
NUMBER AND SEX OF WORKERS IN DIEMAKING DEPARTMENT, FOUR FOLDING-BOX FACTORIES

| | Total | TOTAL | | FACTORY NUMBERS | | | | | | | |
|-------------------------|-------|-------|--------|-----------------|--------|-------|--------|-------|--------|-------|--------|
| | | Male | Female | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Female | Male | Female | Male | Female | Male | Female |
| Foreman die-making..... | 1 | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Diemaking..... | 26 | 26 | ..... | 25 | ..... | ..... | ..... | 1 | ..... | ..... | ..... |
| Sample box maker..... | 1 | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Total male. | ..... | 28 | ..... | 27 | ..... | ..... | ..... | 1 | ..... | ..... | ..... |
| Grand total.... | 28 | 28 | ..... | 27 | ..... | ..... | ..... | 1 | ..... | ..... | ..... |

b. *Cutting, Scoring and Creasing.*—Cutting, scoring and creasing may be accomplished on hand-fed platten presses, cylinder presses or automatic presses. All of these presses were observed in use. Table 22 lists the number and sex of all workers, the types of machines in use as well as machine combinations in this department. With the hand-fed platten press the pressman may mount and adjust die in press and also feed the stock or the pressman may only mount and adjust the die in press, the feeding being done by an operator.

TABLE 22
NUMBER AND SEX OF WORKERS AND PROCESSES IN CUTTING, SCORING, CREASING DEPARTMENT
FOUR SOLID BOX FACTORIES

| | Total | TOTAL | | FACTORY NUMBERS | | | | | | | |
|--|-------|-------|-------------|-----------------|-------------|-------|-------------|-------|-------------|-------|-------------|
| | | Male | Fe- male | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Fe- male | Male | Fe- male | Male | Fe- male | Male | Fe- male |
| Foremen cut- ting and creasing..... | 2 | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... |
| Platen press feed..... | 27 | 27 | ..... | 26 | ..... | 1 | ..... | ..... | ..... | ..... | ..... |
| Platen press set- up and feed.. | 7 | 7 | ..... | ..... | ..... | 1 | ..... | 6 | ..... | ..... | ..... |
| Set-up platen cylinder auto- matic..... | 18 | 18 | ..... | 18 | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Cylinder press set-up and feed..... | 1 | 1 | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... |
| Cylinder press set-up..... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... |
| Cylinder press feed..... | 20 | 11 | 9 | 10 | 9 | ..... | ..... | 1 | ..... | ..... | ..... |
| Cylinder press receiver..... | 41 | 3 | 38 | ..... | 38 | 1 | ..... | 1 | ..... | 1 | ..... |
| Automatic press feed..... | 11 | ..... | 11 | ..... | 11 | ..... | ..... | ..... | ..... | ..... | ..... |
| Automatic press receiver..... | 11 | ..... | 11 | ..... | 11 | ..... | ..... | ..... | ..... | ..... | ..... |
| Vertical creaser | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... |
| Vertical corner cut and slot- ter..... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... |
| Overcut, scorer, table shears, corner cut... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... |
| Overcut, strip- per, eyelet punch..... | 1 | 1 | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... |
| Total male and female | ..... | 73 | 70 | 55 | 70 | 5 | ..... | 9 | ..... | 4 | ..... |
| Grand total.... | 143 | 73 | 70 | 125 | ..... | 5 | ..... | 9 | ..... | 4 | ..... |

With the cylinder press the pressman may mount and adjust the die, and feed the stock and a male or female operator receives the stock. In other cases the pressman mounts and adjusts die, etc., and either males or females feed and receive.

With the automatic press the pressman mounts and adjusts the die, etc., and males or females feed and receive.

Work of Pressmen. Hand Fed Platen Press. Next in difficulty to actually manufacturing the die is the work of the pressmen. All pressman observed were males. Their work involves locking the die in the press, adjusting platen, adjusting feed and register. In the small factories, the pressmen feed and operate the press, while the tendency in the larger factories is to employ male or female operators to feed the press.

Cylinder Press. The pressman adjust the die in the press, adjusts press feed, register, etc. In the smaller shops he also feeds the stock. In the larger shops, feeding as well as receiving, is done by either male or female operators.

Automatic Press. Where automatic presses are in use, the pressman prepares the press for operating, and feeding and receiving may be done by either male or female operators.

Summary. It was found that in many cases printing pressmen had become cutting and creasing pressmen. The same knowledge and type of skill are required for these two lines of work. The training needed for this sort of work is the pressmen's training and therefore is not included under this study of the paper box industry.

Feeding and Receiving from Cutting and Scoring Press. Hand-fed platen presses are always fed by males. In case feeding is done by an operator instead of the pressman, the line of promotion for the operator is in becoming an assistant pressman and then pressman. Feeding and receiving stock from cylinder presses may be done by either young men or young women. If by young men, the possible promotion is in becoming pressmen, but when done by young women, leads to nothing else.

Knowledge and skill required for feeding consists in feeding single sheets of cardboard against feeding jaws. Receiving involves piling in an even pile, the cut and scored sheets as they leave the press. This skill is readily acquired with a few days' experience.

1. Deductions Relative to Education. There may be a large field for training pressmen for both printing and cutting and creasing presses, but as previously stated such work is not considered as primarily a part of the paper box industry. There is no possible training for feeders and receivers, save as young men are desirous

of becoming pressmen. Where women are at work doing these things, success depends upon quickly acquiring a series of simple habits which obviously do not require any vocational training other than that now offered within the trade.

c. Vertical Creasing and Corner Cutting.—These topics are treated under the manufacture of cardboard and corrugated cases.

d. Stripping and Folding.—Stripping is removing the waste portions of the cardboard sheet from the main blank. It is accomplished by forcibly striking the portions to be removed with a stripping hammer and then breaking away these portions by hand. Table 23 gives the number and sex of workers so engaged. It will be noted that with one exception all strippers are males. In this exceptional case the work was stripping small portions of cardboard from small display cards. Folding, in this trade, involves as a rule, folding the cardboard on the scored lines. This folding may be done for the gluers or may be for purposes of packing, etc. Table 23 gives number and sex of workers so engaged. It will be noted that this work is done largely by females.

Upon receiving a pile of scored and cut blanks, the stripper removes the waste portions by use of the stripping hammer. This work requires knowledge as to where to strike with a stripping hammer in order to accomplish the work with the fewest strokes and also how to manipulate the pile when breaking away portions by hand. The principal requisite for this work is bodily strength, particularly in arm and shoulder muscles. It is concluded that no vocational training is needed for this work.

TABLE 23
NUMBER AND SEX OF WORKERS AND PROCESSES IN STRIPPING AND FOLDING DEPARTMENT,
FOUR FOLDING-BOX FACTORIES

| | Total | TOTAL | | FACTORY NUMBERS | | | | | | | |
|----------------------------------|-------|-------|-------------|-----------------|-------------|------|-------------|------|-------------|------|-------------|
| | | Male | Fe- male | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Fe- male | Male | Fe- male | Male | Fe- male | Male | Fe- male |
| Foreman, strip- ping..... | 1 | 1 | .... | 1 | .... | .... | .... | .... | .... | .... | .... |
| Stripping..... | 45 | 45 | .... | 35 | .... | 3 | .... | 7 | .... | .... | .... |
| Stripping, gang glue feed.... | 1 | .... | 1 | .... | .... | .... | .... | .... | 1 | .... | .... |
| Cleaning floor from stripper | 4 | 4 | .... | 4 | .... | .... | .... | .... | .... | .... | .... |
| Folding display containers... | 9 | .... | 9 | .... | 6 | .... | 3 | .... | .... | .... | .... |
| Folding (setting up)..... | 1 | 1 | .... | .... | .... | .... | .... | .... | .... | 1 | .... |
| Total male and female | .... | 51 | 10 | 40 | 6 | 3 | 3 | 7 | 1 | 1 | .... |
| Grand total.... | 61 | .... | .... | 46 | .... | 6 | .... | 8 | .... | 1 | .... |

Folding. As already stated, folding merely involves bending and pressing down pieces of cardboard on lines already scored. A minimum of any sort of knowledge and skill is required. Success consists in quickly learning the best method of handling blanks particularly as to placing them on the table, etc., and also as to the method of procedure relative to order of bending sides, ends, etc.

In view of the kind and character of the processes included under stripping and folding, it is concluded that no provision for vocational training other than that now offered within the trade is either advisable or profitable.

e. Table Work.—In a factory manufacturing only regular lines of folding boxes, no table work is ordinarily involved. However, most folding box factories occasionally receive orders for display boxes, signs, novelties, etc. Manufacturing these specialties requires hand table work such as pasting tapes, tabs, attaching hinges, easels and perhaps touching up and finishing. Table 24 shows the number and sex of workers in this department. As in the solid box line, it will be noted that table work is limited to

TABLE 24
NUMBER AND SEX OF WORKERS IN TABLE-WORKING DEPARTMENT, FOUR FOLDING-BOX
FATORIES

| | Total | TOTAL | | FACTORY NUMBERS | | | | | | | |
|-------------------------------|-------|-------|-------------|-----------------|-------------|------|-------------|------|-------------|------|-------------|
| | | Male | Fe- male | 9 | | 11 | | 13 | | 14 | |
| | | | | Male | Fe- male | Male | Fe- male | Male | Fe- male | Male | Fe- male |
| Novelty display table..... | 37 | .... | 37 | .... | 37 | .... | .... | .... | .... | .... | .... |
| Packing from table..... | 5 | .... | 5 | .... | 5 | .... | .... | .... | .... | .... | .... |
| Total male and female | .... | .... | 42 | .... | 42 | .... | .... | .... | .... | .... | .... |
| Grand total.... | 42 | .... | .... | .... | .... | .... | .... | .... | .... | .... | .... |

females. The forty-two females observed doing table work were engaged in one or more of the following:

Applying color with a brush to edges of display signs.

Glueing easels to display signs.

Taping and attaching card to display boxes and wall signs.

Inserting cardboard supporters in tubular strips of display stock.

Glueing wood supporting strips to cardboard display signs.

It will be noted that all of this work is exceedingly simple in type. With the receipt of an order for a different type of display work, these same females would be required to perform other and varying operations.

Table work as observed involves pasting and glueing, coloring, tying and pasting tapes, scraping excess glue, etc., and finishing. It is readily seen that these are manipulative skills of a low order. In view of the simplicity of the skills required of table workers, it is concluded that no vocational training other than that now offered in the industry is advisable.

f. Taping, Stitching, Etc.—Taping is inserting or pasting tape to ends or sides of boxes. Such tape is usually applied to suit case boxes, stock boxes and cartons. Table 25 shows number and sex of workers so engaged. Skill consists in being able to quickly and

TABLE 25
NUMBER AND SEX OF WORKERS IN TAPING AND STITCHING DEPARTMENT, FOUR FOLDING-BOX
FATORIES

| | Total male and fe- male | TOTAL | | FACTORY NUMBERS | | | | | | | |
|-----------------------------|-------------------------------------|-------|-------------|-----------------|-------------|------|-------------|------|-------------|------|-------------|
| | | Male | Fe- male | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Fe- male | Male | Fe- male | Male | Fe- male | Male | Fe- male |
| Taping, hand.. | 4 | 2 | 2 | .... | .... | .... | .... | .... | 2 | 2 | .... |
| Taping, ma- chine..... | 1 | .... | 1 | .... | 1 | .... | .... | .... | .... | .... | .... |
| Wire stitching. | 38 | 5 | 33 | .... | 7 | .... | .... | 1 | 26 | 4 | .... |
| Folding for stitcher.... | 5 | 2 | 3 | .... | 1 | .... | .... | .... | 2 | 2 | .... |
| Total male and female | .... | 9 | 39 | .... | 9 | .... | .... | 1 | 30 | 8 | .... |
| Grand total.... | 48 | .... | .... | 9 | .... | .... | .... | 31 | .... | 8 | .... |

firmlly fasten tapes in places. Stitching involves fastening together sides and ends of boxes and covers by means of the wire stitching machine. Several kinds of stitching machines were observed in use but in the main the operating essentials of all machines were alike. In one factory, stitching was entirely limited to butter boxes. Table 25 shows number and sex of workers engaged in this work. Skill in stitching consists in quickly mounting spool of wire in place and threading machine and in quickly bending together stock to be stitched and holding it tightly in place till wire is attached.

As seen by the analysis of folding and stitching, a minimum of knowledge and skills are required. It is thus concluded that no vocational training other than that offered within the trade is advisable.

g. Glueing.—Glueing involves fastening together with adhesive the sides or ends of boxes. This glueing is usually accomplished on either the hand fed or automatic gluer. Table 26 shows number and sex of workers in the glueing department.

TABLE 26
NUMBER AND SEX OF WORKERS AND PROCESSES IN GLUEING DEPARTMENT. FOUR FOLDING-BOX
FACORIES

| PROCESS | Total male and fe- male | TOTAL | | FACTORY NUMBERS | | | | | | | |
|--|-------------------------------------|-------|-------------|-----------------|-------------|------|-------------|------|-------------|-------|-------------|
| | | Male | Fe- male | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Fe- male | Male | Fe- male | Male | Fe- male | Male | Fe- male |
| Foreman, gang gluer..... | 1 | 1 | .... | 1 | .... | .... | .... | .... | .... | .... | .... |
| Folding g-box gluers' (ma- chine)..... | 18 | .... | 18 | .... | 11 | .... | 2 | .... | 5 | .... | .... |
| Folding for gluers..... | 1 | .... | 1 | .... | .... | .... | .... | .... | 1 | .... | .... |
| Receiving from gluers..... | 29 | .... | 29 | .... | 22 | .... | 2 | .... | 5 | .... | .... |
| Gang gluer feed. | 18 | .... | 18 | .... | 17 | .... | .... | .... | 1 | .... | .... |
| Gang gluer re- ceiver..... | 63 | .... | 63 | .... | 62 | .... | .... | .... | 1 | .... | .... |
| Gang gluer (special)..... | 1 | 1 | .... | 1 | .... | .... | .... | .... | .... | .... | .... |
| Folding, press- ing (from above)..... | 4 | .... | 4 | .... | 4 | .... | .... | .... | .... | .... | .... |
| Tying from above..... | 2 | .... | 2 | .... | 2 | .... | .... | .... | .... | .... | .... |
| Total male and female | .... | 2 | 135 | 2 | 118 | .... | 4 | .... | 13 | .... | .... |
| Grand total.... | 137 | ..... | ..... | 120 | ..... | 4 | ..... | 13 | ..... | ..... | ..... |

Hand Fed Glueing Machine. This machine applies glue to a portion of the side of the box. It has several pairs of steel pressing rolls by which means the blank is pressed after being glued together. These machines are operated by females, one female folding, glueing and feeding the blank between the rolls, the other female receiving the glued blanks from the opposite end of the machine.

Preparing this machine for use involves:

1. Care of glue. Most machines of this sort have a double glue tank, the outer portion being a steam and hot water jacket. The operator usually has to place the proper glue stock in the inner glue kettle and regulate steam heat or gas flame.
2. Glue wheel. The contact wheel and guide must be adjusted for the thickness of the stock as well as for the width of the strip to be glued.

3. Pressure rolls. Pressure rolls must be adjusted so as to tightly press together the cardboard stock.

In operating the gluer, the operator must hold cardboard in proper position over wheel, must fold box together and insert between the first pair of pressure rolls. The receiver sits at the opposite end of the machine and receives and piles, and in some cases, counts and ties in bundles the glued boxes.

Automatic Folding and Glueing Machines. These machines receive the cut and scored blanks in the hopper and feed, fold, glue, stack and count them in one operation. Such machines may only be used profitably for long runs. Most automatic glueing machines are set up by the factory machinist or by the department foreman and as such is the case, this work is not studied here in detail.

The machinist or foreman usually starts the machine in order to see if it is properly adjusted. Feeding and receiving may be done by either males or females, the tendency, however, being to employ females for this work. Feeding involves merely stacking piles of blanks in the hopper. The main requisite for this work is physical strength. Receiving involves piling and perhaps tying the glued boxes which are received at the opposite end of the machine. It will be noted that feeding and receiving require a minimum of knowledge and skill, this being readily acquired with a few days shop experience. Such being the case no further provision for vocational training is necessary.

h. Miscellaneous Machines.—Miscellaneous machines and operations include the punch press, tabbing, nailing, preparing forms for nailing, wood dove tailing and operating special machines. Table 27 shows the number and sex of workers engaged in these operations.

TABLE 27
NUMBER AND SEX OF WORKERS IN MISCELLANEOUS OCCUPATIONS. FOUR FOLDING-BOX
FABRIQUES

| PROCESS | Total male and fe- male | TOTAL | | FACTORY NUMBERS | | | | | | | |
|------------------------------|-------------------------------------|-------|-------------|-----------------|-------------|-------|-------------|------|-------------|------|-------------|
| | | Male | Fe- male | 9 | | 11 | | 12 | | 13 | |
| | | | | Male | Fe- male | Male | Fe- male | Male | Fe- male | Male | Fe- male |
| Punch press.... | 2 | .... | 2 | .... | 2 | .... | .... | .... | .... | .... | .... |
| Tabbing (ma- chine)..... | 1 | .... | 1 | .... | 1 | .... | .... | .... | .... | .... | .... |
| Nailing ma- chines..... | 3 | 3 | .... | .... | .... | .... | .... | .... | .... | 3 | .... |
| Preparing above form..... | 3 | 3 | .... | .... | .... | .... | .... | .... | .... | 3 | .... |
| Wood dove-tail- ers..... | 1 | 1 | .... | .... | .... | .... | .... | .... | .... | 1 | .... |
| Paraffine ma- chines..... | 2 | 2 | .... | .... | .... | .... | .... | 2 | .... | .... | .... |
| Total male and female | .... | 9 | 3 | .... | 3 | .... | .... | 2 | .... | 7 | .... |
| Grand total.... | 12 | ..... | ..... | 3 | ..... | ..... | ..... | 2 | ..... | 7 | ..... |

Work listed under this head involves, in the main, operating automatic machines, and as such is the case, a minimum of knowledge and skill is required.

In view of the minimum knowledge and skill essential to pursuing these operations, it is concluded that no provision for vocational training other than that now offered in the trade would be profitable or advisable.

5. Employees

a. Selection of Beginners.—No clearly defined policy in selecting beginners was found in any of the factories visited. There are, however, as a rule, some general points usually considered. In the main, only young men or women of good physique are desired as feeders or receivers from cutting and creasing presses. Men of sturdy build and considerable physical strength are desired for strippers. In regard to any of the other work where females are employed, youth and general good health seem to be the only controlling factors. In one factory it was noted that the cheapest grade of common labor was employed for receiving from cylinder presses, for taping and for setting up

folding boxes. A slightly higher grade of help was employed operating nailing and wire stitching machines. In this one factory there were no provisions whatever for promotion, it being the policy to employ help for the particular work at hand. It was discovered in this factory that the majority of all workers were beginners and that the superintendent adhered to the policy of dismissing all beginners after they had become reasonably proficient and desired increased wages. In this factory one stripper had been at work for six years, one pressman one year, two strippers one day, one stripper two weeks, and three female folders two weeks. In every case these individuals had never before worked in a paper box factory.

b. What Beginners Were Doing.—Four young boys were found cleaning floors from stripping room. These boys may perhaps become strippers. One male beginner was running errands, cleaning floors, etc. Two male beginners were stripping. One male beginner was counting and tying up. Three female beginners were folding toy houses. One female beginner was piling and counting toy houses.

c. Lines of Promotion.—The following occupations in the folding box industry are considered as terminal points, die making, stripping, glueing, wire stitching, table working and work of pressmen. The possible lines of promotion leading to these goals are as follows; die making, not studied; pressmen, from cleaner to assistant pressman to pressman. Where females are employed as feeders or receivers, this work leads to nothing else. Stripping; from cleaning floor to stripping or directly to stripping upon entrance to the factory. Table working; from helper to piler or counter to table helper, to table worker. Wire stitching; perhaps directly to wire stitching upon entrance to the factory or from flange bending to wire stitching. Hand fed glueing machine; from flange bender or receiver to machine gluer. Automatic glue machine; from feeder to receiver. It will be noted that the work of females is largely confined to glueing machines and in itself leads directly to no other line of work. The opportunities for advancement for male workers are in becoming pressmen or die makers. Stripping is a terminal point for many males.

d. Summary of Deductions Relative to Education.—The work of die makers and pressmen would undoubtedly afford profitable opportunity for short unit courses. These fields, however, are not considered as part of this study. It is concluded in all of the other fields that no provision for vocational training other than that now offered within the industry would be either profitable or advisable.

C. MANUFACTURE OF CARDBOARD AND CORRUGATED CONTAINERS

The manufacture of cardboard and corrugated containers was studied in order to determine its relation to the manufacture of solid and folding boxes. The exact number of workers employed in this line in New York is not known, but it is relatively small as compared with the number in the solid and folding box industries. There is a constant and continual demand for cardboard and corrugated containers. Manufacturers of machinery for this trade are continually perfecting and placing on the market new lines of machines. These improvements often involve radical changes in work and organization. This being the case, it is not very significant to study the field in great detail at present. It will be noted that only two factories in this line were visited and that only forty-nine workers were observed. This being the case, no specific deductions are made. It is thought, however, that these two factories are typical of the industry as at present carried on within the State and that they afford, therefore, sufficient basis for a description of the industry and an analysis of the knowledge and skills required.

1. CARDBOARD AND CORRUGATED CASES DEFINED

As indicated by the term such cases and containers are made of either cardboard or corrugated board. As a rule, cases are made of a single piece of board, although this is not necessarily so. Ends may or may not be fastened to sides and ends may be wire stitched or fastened with gummed cloth, etc. Cases are seldom paper wrapped in any way, all printing and labeling being done directly on the board. Cases may leave the factory flat, semi-erected, or completely erected, the tendency being, however, to manufacture

cases which may be shipped flat. The manufacture of the cardboard and corrugated board from which the cases are made is not here studied.

2. GENERAL DESCRIPTION

Upon receiving the order in the office the office clerks estimate size of sheet to use, number of sheets to be used, etc., and if corrugated board be used, the clerks specify exact widths, lengths, etc. As the chief items of expense in the manufacture of cases are labor and board, the tendency in this trade is for all computations to be made in the office. In many cases, container factories manufacture their own corrugated board. In other cases the board for each order is ordered separately. After the board is received, the stock is cut, creased and perhaps slotted upon the cutting, creasing and slotting machine. With the one piece case the board is immediately folded and sides fastened together with tape. If sides are to be wire stitched or riveted, this follows the work of cutting. The case may have to be reinforced, thumbed, eyeleted, printed, or rope handles may have to be attached. In the main all of these operations are performed by males.

3. GROUPS OF OCCUPATIONS

Those employed in the two factories visited may be grouped under the following general heads: board cutters, creasers, and sletters; tapers; folders and gluers; stitchers, riveters and miscellaneous workers. A summary of all males and females in each of the above factories is found in Table 28. It will be noted that 71.43 per cent. of all workers are males, 28.57 per cent. being females. These males and females are distributed in the various departments as summarized in Table 29.

TABLE 28
NUMBER AND PER CENT. OF ALL MALES AND FEMALES IN GROUPS OF OCCUPATIONS, IN TWO
CARDBOARD AND CORRUGATED CASE FACTORIES

| No | DEPARTMENT | Per cent grand total | Grand total | TOTAL | | FACTORY NUMBERS | | | |
|----|---|-------------------------------|----------------|-------|-------------|-----------------|-------------|-------|-------------|
| | | | | Male | Fe- male | 8 | | 9 | |
| | | | | | | Male | Fe- male | Male | Fe- male |
| 1 | Board cutting, creasing, slot- ting..... | 40.82 | 20 | 20 | .... | 1 | .... | 10 | .... |
| 1 | Taping..... | 10.20 | 5 | .... | 5 | .... | .... | .... | 5 |
| 1 | Folding, slitting, etc..... | 20.40 | 10 | 10 | .... | 1 | .... | 9 | .... |
| 1 | Stitching..... | 10.20 | 5 | 4 | 1 | .... | .... | 4 | 1 |
| 1 | Miscellaneous..... | 18.37 | 9 | 1 | 8 | .... | 1 | 1 | 7 |
| | Total males and females..... | .... | .... | 35 | 14 | 2 | 1 | 33 | 13 |
| | Per cent. males and females..... | 100.00 | .... | 71.43 | 28.57 | 66.68 | 33.32 | 71.74 | 28.26 |
| | Grand total..... | .... | 49 | .... | .... | 3 | .... | 46 | .... |

TABLE 29
DISTRIBUTION BY SEX AND DEPARTMENTS OF ALL MALES AND FEMALES EMPLOYED IN TWO
CARDBOARD AND CORRUGATED CASE FACTORIES

| No | DEPARTMENT | Per cent of all employed | Total | Total male | Per cent of total male | Total female | Per cent of total female |
|----|---|--------------------------------|-------|---------------|------------------------------------|-----------------|--------------------------------------|
| 1 | Board cutting, creasing, slot- ting..... | 41.0 | 20 | 20 | 80.0 | .... | .... |
| 1 | Taping, etc..... | 10.0 | 5 | .... | .... | 5 | 20.83 |
| 1 | Folding, glueing, etc..... | 20.0 | 10 | .... | .... | 10 | 41.67 |
| 1 | Stitching..... | 10.0 | 5 | 4 | 16.0 | 1 | 4.17 |
| 1 | Miscellaneous..... | 19.0 | 9 | 1 | 4.0 | 8 | 33.33 |
| | Total..... | .... | 49 | 25 | .... | 24 | .... |
| | Per cent. males and females..... | 100.00 | .... | .... | 100.0 | .... | 100.00 |

4. ANALYSIS OF OCCUPATIONS

a. *Board Cutting, Creasing and Slotting.*—Table 30 lists the number and sex of workers so employed. In this department all cardboard stock is prepared as to size, shapes, cuts, etc. The machines observed during this sort of work include the rotary creaser and slotter, vertical creaser and vertical slotter and rotary slitter. These machines were all found to be operated by males. In the main, those operating the ma-

chines had no computing to do other than that involved in setting up the machine, the size of board to use, the number of sheets required having been already computed in the office. All operators observed at work set up their own machines. The rotary slitter and slotter involves the same principles in setting up as the scoring machine described under the solid box industry. The vertical creaser requires setting back the gage, side gages, pressure head, etc. Vertical slotter requires setting back and side gages, cutters, etc.

TABLE 30
NUMBER AND SEX OF WORKERS AND PROCESSES IN CARDBOARD CUTTING, CREASING AND SLOTTING
DEPARTMENT, IN TWO CARDBOARD AND CORRUGATED CASE FACTORIES

| No | PROCESS | Total male and female | TOTAL | | FACTORY NUMBERS | | | |
|----|------------------------------|--------------------------------|-------|-------------|-----------------|-------------|------|-------------|
| | | | Male | Fe- male | 8 | | 9 | |
| | | | | | Male | Fe- male | Male | Fe- male |
| 1 | Rotary creaser, slotter..... | 12 | 12 | .... | .... | .... | 12 | .... |
| 1 | Vertical creaser..... | 3 | 3 | .... | .... | .... | 3 | .... |
| 1 | Vertical slotter..... | 4 | 4 | .... | .... | .... | 4 | .... |
| 2 | Eyelet..... | | | | | | | |
| 3 | Hand glueing..... | 1 | 1 | .... | 1 | .... | .... | .... |
| 1 | Vertical creaser..... | | | | | | | |
| 2 | Slotter..... | | | | | | | |
| 3 | Gang gluer..... | | | | | | | |
| 4 | Slitter..... | | | | | | | |
| | Total males and females..... | .... | 20 | .... | 1 | .... | 19 | .... |
| | Grand total..... | 20 | .... | .... | 1 | .... | 19 | .... |

Knowledge and Skill. Although in this department, machines somewhat different from those in the cardboard cutting department are used, it is believed that the same type of knowledge and skill is required here as in the solid box industry. Orders are given to the cutters either orally or in written form; thus the operator must be able to read and write English. Although the tendency is for computations to be made in the office, most cutters are required to refigure and check all orders. Operators must know various sizes of boards, thickness, trade designations, bending qualities, etc. They must also know various methods of box construction in order to interpret orders intelligently and fill these orders.

1. Deductions Relative to Education. As the knowledge and skills in this department are so similar to those of the scorers in the solid box industry, it is believed that the same arguments there advanced relative to vocational training, may be well applied here. It is held however, that this field should be studied more intensively in order to positively arrive at this conclusion. If, upon further study, the two fields are found to be very similar, the general topics enumerated under short unit course number one, and short unit course number two in the solid box industry, should be here included.

b. *Taping, Etc.*—Table 31 gives number and sex of workers so engaged. This work involves attaching glued or gummed pieces of tape either by hand or machine to the sides or ends of cases. Applying this tape is exceedingly simple, involving in many cases, only pulling the end of the tape across a moistened surface, cutting the tape and attaching it to the board. It is believed no provision for vocational training should be made other than that provided at present within the trade.

TABLE 31*

NUMBER AND SEX OF WORKERS IN TAPING DEPARTMENT, IN TWO CARDBOARD AND CORRUGATED CASE FACTORIES

| No | PROCESS | Total male and female | TOTAL | | FACTORY NUMBERS | | | |
|----|-------------------------------------|-----------------------|-------|--------|-----------------|--------|------|--------|
| | | | Male | Female | 8 | | 9 | |
| | | | | | Male | Female | Male | Female |
| 1 | Tape gummer machine (errug. bd.)... | 1 | .... | 1 | .... | .... | .... | 1 |
| 1 | Tape gummers..... | 4 | .... | 4 | .... | .... | .... | 4 |
| | Total male and female..... | 5 | .... | 5 | .... | .... | .... | 5 |
| | Grand total..... | 5 | .... | .... | .... | .... | .... | 5 |

c. *Folding and Glueing.*—Table 32 shows number and sex of workers engaged in this work. Folding involves folding board upon scored or creased lines, and the glueing listed in Table 32 involves merely attaching supporting pieces of board to the sides and ends of the box. It is not considered that any vocational training is required for either of these operations.

TABLE 32

NUMBER AND SEX OF WORKERS IN FOLDING, GLUEING DEPARTMENTS, IN TWO CARDBOARD AND CORRUGATED CASE FACTORIES

| No | PROCESS | Total male and female | TOTAL | | FACTORY NUMBERS | | | |
|----|---|-----------------------|-------|--------|-----------------|--------|------|--------|
| | | | Male | Female | 8 | | 9 | |
| | | | | | Male | Female | Male | Female |
| 1 | Folding (corrugating cases)..... | 6 | 6 | .... | .... | .... | 6 | .... |
| 1 | Hand glueing..... | 3 | 3 | .... | .... | .... | 3 | .... |
| 2 | Hole cutting..... | | | | | | | |
| 3 | Thumbing..... | | | | | | | |
| 1 | Metal corner stay..... | 1 | 1 | .... | 1 | .... | .... | .... |
| 2 | Wire stitching..... | | | | | | | |
| 3 | Corner staying..... | | | | | | | |
| 4 | Eyelet..... | 1 | 1 | .... | .... | .... | 1 | .... |
| 5 | Gang sawing..... | | | | | | | |
| 1 | Feed blankets, special glue machine... | | | | | | | |
| 1 | Attaching labels..... | 5 | .... | 5 | .... | .... | .... | 5 |
| 1 | Break carrying blanket and count for above..... | 2 | .... | 2 | .... | .... | .... | 2 |
| | Total male and female..... | 18 | 11 | 7 | 1 | .... | 10 | 7 |
| | Grand total..... | 18 | .... | .... | 1 | .... | 17 | .... |

d. *Wire Stitching, Riveting, Etc.*—Table 33 shows the number and sex of workers so engaged. These processes are described under the folding box industry and it was there concluded that no provision for vocational training was necessary.

TABLE 33

NUMBER AND SEX OF WORKERS IN STITCHING DEPARTMENT, IN TWO CARDBOARD AND CORRUGATED CASE FACTORIES

| No | PROCESS | Total male and female | TOTAL | | FACTORY NUMBERS | | | |
|----|----------------------------|-----------------------|-------|--------|-----------------|--------|------|--------|
| | | | Male | Female | 8 | | 9 | |
| | | | | | Male | Female | Male | Female |
| 1 | Wire stitching..... | 1 | .... | 1 | .... | .... | .... | 1 |
| 1 | Tubular riveting..... | 4 | 4 | .... | .... | .... | 4 | .... |
| | Total male and female..... | .... | 4 | 1 | .... | .... | 4 | 1 |
| | Grand total..... | 5 | .... | .... | .... | .... | .... | 5 |

e. *Miscellaneous.*—Table 34 shows list of occupations under this head and the number and sex of workers so engaged. It is

not considered that in any case additional provisions for vocational training are needed.

TABLE 34
NUMBER AND SEX OF WORKERS IN MISCELLANEOUS OCCUPATIONS, IN TWO CARDBOARD AND CORRUGATED CASE FACTORIES

| No | PROCESS | Total male and female | TOTAL | | FACTORY NUMBERS | | | |
|----|----------------------------|-----------------------|-------|--------|-----------------|--------|------|--------|
| | | | Male | Female | 8 | | 9 | |
| | | | | | Male | Female | Male | Female |
| 1 | Tying..... | 1 | .... | 1 | .... | 1 | .... | .... |
| | Total male and female..... | .... | .... | 1 | .... | 1 | .... | .... |
| | Grand total..... | 1 | .... | .... | 1 | .... | .... | .... |

5. EMPLOYEES

It will be noted that 71.43 per cent. of all workers in the two factories studied are males and that 28.57 per cent. females. It is believed that this is approximately the distribution of males and females within the industry.

a. Selection of Beginners.—No consistent policy or plan for selecting beginners was found in the two factories studied. Where males were required, youth and strength seemed to be the basic qualifications. These also seem to be the basic considerations in the employment of females.

b. Placing Beginners.—No plan or policy seems to be employed in placing beginners. Placing probably depends largely upon the immediate need and vacancy.

c. Lines of Promotion.—Cardboard cutting, scoring and creasing seem to be the only fields in which any promotion was possible. Beginners start in this department as helpers, cleaning the floor, carrying stock and assisting on machines. The vertical creaser and slotter is probably the first machine used while the rotary creaser and slotter is probably the last.

d. Summary of Deductions Relative to Education.—It is believed that the work of the cutters, creasers and slitters in this field might be studied in detail with profit and that it would be found that short unit courses could well be offered for workers in this department. It is concluded that in all the other de-

partments no further provision for vocational training is necessary.

D. JEWELRY CASE MAKING

The manufacture of jewelry cases and trays was studied merely to determine its relation to the manufacture of solid and folding boxes. As only one factory employing twelve workers was visited, no deductions are made. It is believed that the factory studied was representative of this industry. Table 35 shows number and sex of workers in each occupation within this factory.

TABLE 35
DISTRIBUTION BY SEX AND DEPARTMENT OF MALES AND FEMALES IN ONE JEWELRY CASE FACTORY

| No. | PROCESS | Total male and female | TOTAL | | FACTORY NUMBER | |
|-----|-----------------------------------|-----------------------|-------|--------|----------------|--------|
| | | | Male | Female | 14 | |
| | | | | | Male | Female |
| 1 | Factory superintendent..... | 1 | 1 | .... | 1 | .... |
| 1 | Platform saw..... | 3 | 3 | .... | 3 | .... |
| 2 | Band saw..... | | | | | |
| 3 | Sand wheel (wood workers)..... | 1 | 1 | .... | 1 | .... |
| 1 | Scoring..... | | | | | |
| 2 | Corner cutting..... | 1 | 1 | .... | 1 | .... |
| 3 | Corner staying..... | | | | | |
| 4 | Table shears (C. B. cutters)..... | 1 | 1 | .... | 1 | .... |
| 1 | Finishing..... | 3 | 3 | .... | 3 | .... |
| 1 | Gilding..... | 1 | 1 | .... | 1 | .... |
| 1 | Table working..... | 3 | .... | 3 | .... | 3 |
| 1 | Glue prepared by workers..... | .... | .... | .... | .... | .... |
| | Total males and females..... | .... | 9 | 3 | 9 | 3 |
| | Grand total..... | 12 | .... | .... | 12 | .... |

It will be noted that there are two possible points of contact with the solid box industry, namely, cardboard cutting and table working. In the first field, one male was engaged operating the scoring machine, corner cutting machine, corner staying machine and table shears. These tools and machines are the same as those used by scorers in the solid box industry and the same kinds and degrees of knowledge and skills there involved, are also involved here. In the second field, table working, we note that three females were employed. Their work was covering

cardboard frames with cloth and fancy paper and occasionally involved covering wooden trays with plush. This line of work is properly termed "novelty work."

The wood workers listed in Table 35 are employed making the wood foundations for the cases. They use such machines as the platform saw, band saw and sanding wheel. They also are required to polish cases and trays.

The work of finishing as listed in the table involves covering the wooden case with cloth, plush or leather, while gilding involves applying and burnishing gold decorations.

In the main, jewelry case making is found to be a field separate and apart from either the solid box or the folding box industry. The one and only direct point of similarity is in the work of cardboard cutting.

E. MANUFACTURING FILING CASES AND ENVELOPES

The manufacture of cardboard and filing cases and envelopes was studied merely to determine its relationship to the manufacture of solid and folding boxes. As only one factory employing twenty workers was visited no specific deductions are made. Table 36 shows the number and sex of workers in each occupation.

TABLE 36
DISTRIBUTION BY SEX AND DEPARTMENT OF MALES AND FEMALES IN ONE FILING CASE AND ENVELOPE FACTORY

| No | PROCESS | Total male and female | TOTAL | | FACTORY NUMBER | |
|----|----------------------------------|-----------------------|-------|--------|----------------|-------|
| | | | Male | Female | 15 | |
| 1 | Foreman..... | | | | | |
| 2 | Overcut..... | 1 | 1 | ..... | 1 | ..... |
| 3 | Table shears..... | | | | | |
| 1 | Band sawing..... | 2 | 2 | ..... | 2 | ..... |
| 1 | Scoring..... | 1 | 1 | ..... | 1 | ..... |
| 1 | Table working..... | 12 | ..... | 12 | ..... | 12 |
| 1 | Tying-up..... | 4 | 1 | 3 | 1 | 3 |
| 1 | Preparing glue, each worker..... | | | | X | X |
| | Total males and females..... | 20 | 5 | 15 | 5 | 15 |
| | Grand total..... | 20 | ..... | ..... | 20 | |

It will be noted that there are two possible points of relationship in this industry to the solid box industry, namely, scoring and table working. The scoring machines in use in the factory visited, were similar to those used in the solid box industry. Similar table shears were also found in use. The knowledge and skills involved in using these machines are, in the main, similar to those already described under scoring in the solid box industry. Different kinds of stock are used and different computations have to be made.

Table working, in this factory, involved glueing and clamping under pressure the cardboard cases and novelties. It also involved the use of simple tin bending machines, etc., the tin being used for reenforcements. Though here termed "table work" for want of a better name, this work is not at all similar to table work in the solid box industry.

Two men were engaged in cardboard cutting with power band saw. It is seen that in only the one field, namely, scoring, there is a direct relationship to solid or folding box industries.

6. SUMMARY OF SCOPE AND CONCLUSIONS OF ENTIRE STUDY

The fifteen factories in the five lines of box factories studied employed at the time of the visit a total of 1,467 males and females. In the ten solid box factories, 73.16 per cent. were females and 26.84 per cent. males. In the four folding box factories 63.13 per cent. were females and 38.87 per cent. males. In the two cardboard and corrugated case factories, 28.57 per cent. were females and 71.43 per cent. males. In the one jewelry case factory 25 per cent. were females and 75 per cent. males. In the one filing case and envelope factory 75 per cent. were females and 25 per cent. males.

In the solid box industry there are four groups of occupations other than managerial. These four groups are: cardboard cutting employing 6.14 per cent. of all workers; paper cutting employing 8.16 per cent. of all workers; erecting employing 10.63 per cent. of all workers and papering employing 70.21 per cent. of all workers. Active work in the first two is limited to males. Males and females are engaged in the third and the great majority in the last are females.

The knowledge and skills in cardboard and paper cutting are of such a nature that it is concluded that short unit courses might profitably be offered to workers already engaged in these departments. The workers within these departments are 14.30 per cent. of all employed in the ten factories visited. No provision for vocational training other than that now offered within the trade is considered worth while for those employed in the erecting and papering departments, these two departments employing 80.40 per cent. of all workers in the ten factories studied.

In the folding box industry seven groups of occupations were found: die making, cardboard cutting and creasing, stripping and folding, table working, taping and stitching, glueing and miscellaneous processes. It is concluded that short unit courses might be established with profit for die makers and pressmen or those operating cutting and creasing presses. These two fields, however, are not considered as part of this study. It is concluded that no provision for vocational training other than that now offered within the trade would be either profitable or advisable for any other employees in the folding box industry.

In the manufacturing of cardboard and corrugated cases five groups of occupations were found: cutting, creasing and slotting, taping, etc.; folding and glueing; stitching and miscellaneous processes and operations. It is concluded that short unit courses might profitably be offered for those engaged in cardboard cutting, creasing and slotting, and it is also concluded that no further provision for vocational training is needed for those in all the other departments.

The manufacture of jewelry cases was studied merely to indicate its relation to the manufacture of solid and folding boxes and corrugated cases. It was found that the work of the cardboard scorer in this field is identical to that of the scorer in the solid box industry. No other points of similarity were discovered.

The manufacture of filing cases and envelopes was studied to indicate its relationship to the manufacture of solid and folding boxes and corrugated cases. It was found that in only one field, namely, scoring, was there any relationship.

2. AN INVESTIGATION OF THE CANDY INDUSTRY TO
DETERMINE THE POSSIBILITIES OF VOCATIONAL
TRAINING

BY

ANNA C. PHILLIPS,

Formerly Investigator for the New York Committee on Safety

[1347]

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PLAN OF STUDY

The plan originally decided upon in order to obtain the most comprehensive results in the short time available, had to be given up. Owing to the fact that entrance to some of the factories selected for study was denied, a second plan confined the work to those factories in which the studying of processes was allowed.

Of thirteen factories visited, in eight the jobs were studied. These being representative factories the conditions found may be considered typical of the candy industry.

The eight factories may be classed as to output as follows:

| | |
|----------------------------|-----------------|
| Cheap and penny goods..... | Three factories |
| Cheap and high grade..... | Three factories |
| High grade | Two factories |

Facts gathered in a ninth factory manufacturing high grade goods, in which but an hour's stay was permitted, will be included as far as they go.

ANALYSIS OF THE INDUSTRY

The candy cooking is done by men — one or two generally mixing and cooking the many different kinds made in each department, according to recipes.

The foundation of all cream candies, fondant, is cooked in bulk in steam kettles and distributed as needed to the different departments.

Nougats, marshmallows, hard candies, etc., are made by a few men who have many helpers.

Chocolate and cocoa manufacture includes the roasting of cocoa beans, grinding the nuts, and milling and mixing by machine the different grades needed for different candies.

Casting of centers and of some candies is done by a machine, called the Mogul. Machine chocolate dipping is done by two machines, the Enrober and the Smithstake. In addition to the foregoing, men usually do all the work connected with the roasting of nuts, cutting of candy, cooking and washing of gum, pan work and some of the work of crystallizing.

The dipping of chocolates by hand is done in refrigerated rooms, and fruit bon-bon dipping is done by women, as well as

wrapping, packing, weighing, examining, tying up and labeling. Sorting of nuts and candies and making of special centres is also done by girls and women.

The hand and machine processes are practically the same in all candy factories, the difference being in the grade of materials used, and the finish of the final product.

Much of the work in a candy factory might be compared to that in a large kitchen, many workers cleaning, carrying, sorting, preparing and helping as directed. These helpers are the unskilled workers — their work is carefully supervised and the content of the various jobs is small.

Others workers, semi-skilled, prepare materials in quantities for the final finishing by the skilled workers.

SOURCES FROM WHICH WORKERS ARE OBTAINED

Workers in candy factories are obtained from three main sources: untried workers from the schools; experienced or partly trained from other factories; workers from other industries. New workers are usually obtained by advertisements either "help wanted" or specific advertisements as for hand dipper, packer, or candy maker; by a sign hung out; through other employees.

It is the usual custom when green hands are taken on to put them at the unskilled work. By a process of selection of the more apt and intelligent, those that are undesirable are eliminated. The ones kept may prove valuable in the semi-skilled and skilled jobs, and are kept to fill possible vacancies.

In one factory when a large number, say one hundred employees, is needed, one hundred and twenty-five or even one hundred and fifty workers are taken on with the hope that at the beginning of the busy season, one hundred will have proved to be desirable.

An ever renewed procession of unskilled workers keeps the industry supplied in the low paid and unskilled jobs. Some remain helpers with a small raise occasionally, some fill the semi-skilled jobs and a very few reach head positions. A great many — how great a number is shown by the charts and tables already before the Commission — have neither the ability nor

equipment to hold even the unskilled jobs for more than a few weeks.

The only requirements are a healthy and neat appearance. To perform the general work in a candy factory no general education is needed by the worker or demanded by the employer. Some of the more skilled jobs do require some knowledge of arithmetic, writing and reading such as is acquired by completing the sixth grade. An employee is assigned to the section needing workers, and unless unfit or discontented stays in that department and learns no other branch of the work. The exceptions to these general customs are found during the slack season when skilled workers are kept to do unskilled work, at their regular wage. This was found to be the case frequently among chocolate hand dippers — these workers carrying plaques, cleaning papers, etc., for weeks at a time.

Two factories had plans for routing special employees through the factory. In one, intelligent table men, or helpers to tablemen, were put through every department where candy was made or handled. This was for the purpose of supplying their retail stores with all-round candy makers — one to twenty a year being so trained as the demand required them.

In the other establishment the girls in the packing department must know how to read, write and figure, and be of a neat appearance — an endeavor being made to get American born girls. The girls in this factory are dressed in white aprons and caps so as to emphasize their greater importance. On Friday and Saturday of each week, they go to the retail stores owned by the factory, and are taught how to sell. From these girls permanent saleswomen are picked, and some are chosen for cashiers.

MACHINE WORK IN CANDY FACTORIES

Cooking, beating, mixing, cutting hard candies, caramels, nougat, jelly, cocoanut; rapping, roasting and grinding nuts; grinding cocoanut; washing and rolling chewing gum, making peanut butter, making almond paste, making peanut brittle, making jelly powder, chocolate shaking, polishing and brushing gums, pan work, Mogul, Enrober, Smithstake, manufacture of chocolate and cocoa, including washing and grinding cocoa beans, milling and mixing chocolate, melting and grinding chocolate.

The foregoing work is done by men in all but a few instances. Women sometimes run wrapping machines and frequently feed the Enrober.

Fondant is cooked in large amounts, beaten by electric beaters and run off into big tubs. This is the foundation for candy and centre mixtures of all kinds.

Caramels, marshmallows, nougats, Turkish delight, etc., are all cooked by men who do nothing else but mix the batches and tend them. The cooking and mixing is all determined by recipe, but a good cook has to be able to know how much more or less the batches should be cooked under different weather conditions. Some candies are run on tables and cooled, then cut by hand or machine and sent to packing departments. Some candies are poured into moulds for candies or for centers of candies.

The Mogul is a centre-casting machine that also prepares trays of starch for filling. The machine impress is made in the starch trays in rows, the tray is then carried under a depositor supplied from a tank, which fills the moulds full of the particular centre mixture being used. These machines are made up of three distinct parts and can turn out 20,000 pounds of candy each a day. Ten men are generally required to run a Mogul — that is, to run and feed the machine and carry filled trays to hot or drying rooms. The wages of the men so employed vary according to the number of years a man has been employed.

The two chocolate coating machines are the Enrober and Smithstake. These machines do the dipping formerly done by fifteen to forty girls and have reduced greatly the cost of chocolate covered candies. Centres are placed by girls or boys on wires which travel under a flood of warm chocolate. The finished candies pass into a cooled room and are run on or, in case of the Smithstake, placed on oiled paper. These machines are usually operated by men — girls doing all the helping carrying trays, feeding, taking off, etc.

Pan work is rather highly skilled. This includes the coating of all kinds of dragee, Jordan almonds, soft centers, nuts, etc. The candies are formed by the addition of small quantities of sugar water to the centers which revolve continually in an inclined copper pan, with air blowing on and drying the coating. Can-

dies are colored and polished with beeswax, the pan man having a complete knowledge of the time and amount of sugar necessary to coat as required. One man may oversee the work in from four to five pans, and there are helpers who in time and by observation may become pan men.

Cutting machines are run by men who may or may not have helpers. They feed the machines with the candy in squares that will make a certain number of rows when cut; these rows are again cut and the finished small squares dusted with powder or not as the special candy required, and are ready for packing. Caramels, nougats, cocoanut and chocolates are cut this way.

Nut roasting and grinding, chocolate milling and mixing, gum washing and staining, gum rolling and cutting, peanut butter and peanut brittle making, are all found in candy factories, and employ but few men each.

Machine wrapping is possible only for some grades of caramels, nougats and some hard candies and bars. Women generally operate such machines.

HAND WORK IN CANDY FACTORIES

The following may be classed as unskilled: Picking out, sorting, blanching and shelling out nuts, placing nuts in Mogul moulds and on candies, shelling and peeling cocoanuts, sorting gum, cutting fruit, ginger, orange peel and pitting dates; center making, such as rolling and forming cream; putting candies in crystallizing pans, and separating and sorting after crystallized; knocking chocolates out of moulds; coloring one end of creams with color and brush; cleaning, carrying and stacking pans, trays, etc.; cleaning oiled paper and glass jars and kettles; arranging paper in boxes for packers; sorting candies, discarding imperfect ones.

The foregoing are jobs that can be learned in a few minutes to a few hours.

The following may be classed as semi-skilled work: Sugaring gums; granulated sugar is rolled with the gums, the excess amount being sieved off. This work is done by both men and girls.

Sugaring dates: Dates that have been pitted and filled are rolled in granulated sugar. Work done by girls.

Filling dates with cream centers: The cream is rolled into a long small roll, then cut up into small uniform pieces by hand; these are rolled into a ball and flattened in the date. Cream is prepared in the same way, the flattened ball being covered with nuts both sides. Work done by girls.

Moulding chocolate: Chocolate dough is cooled to the right temperature for moulding, then spread with a flat knife over a former containing six or eight depressions or moulds. Work done chiefly by men.

Hand casting: Cream is squeezed out of a paper cone on to oiled paper so as to form candies the same size. Work always done by men.

Making centers: The more expensive and varied candies have hand made centers as: cream received in bulk and mixed with ground nuts and rum, rolled into balls and ready for coating.

Pail packing: Filling wooden pails have compartments in pail or packing in light cardboard boxes as divisions, then filling the sections with candy, sometimes with hand, sometimes with shovel for purpose. Girls and women.

Bulk box packing: Filling boxes with a given mixture or with single kind. Filling boxes loose and arranging top tray in rows with paper divisions.

Filling boxes with wrapped candies: Packing in layers using a sprinkling of rice powder. The box contains five to ten pieces. All this packing is directed by forewomen so green girls are put at work at once.

Wrapping: Certain grades of caramels, nougats, molasses peppermints, chocolate rolls, chocolate bars, cigarettes in bundles and hard candies, etc., are wrapped individually by hand. The candies must be handled quickly, so that they may keep their shape. Some wrappers are folded both ends at once, the left hand doing the same work as the right. Others are folded at one end, turned up and folded at the other end. Some are wrapped in silver and gold paper, some twisted at each end, some done up separately then wrapped in bundles, some being tied with cord and some with ribbon. Much of the work is piece work.

Box wrapping may be simply wrapping a box in already cut paper and tying up with cord, or it may be wrapping a box with

the name on it in gilt letters, the wrapper having the same lettering, which must be placed exactly over that on the box cover. This calls for more skill but is quickly acquired.

Weighing: The packed boxes are brought to a weigher who usually examines also. In bulk packing the cover is weighed with the box and candies added or removed to make the weight correct. In loose packing with a packed top tray, the tray and cover are weighed and the bulk changed to make the weight. The weigher has to be able to know the desired appearance of each box and the required place for labels. Sometimes the boxes pass a special examiner who does not weigh.

Labeling: This may be pasting labels on candies, on bundles of candies, on boxes and pails, or on paper wrapped around candies and boxes. In many places the labels and goods are handed to the worker together, so she cannot make a mistake. She must know how to keep her glue wet, and the correct place for the label.

The majority of the above jobs take from a few hours to a few days to learn. Examining takes a little longer, hand casting takes about a week and moulding chocolates takes about a week also.

The following work may be classed as skilled. The most skilled worker in the candy factory is the candy maker, in some places called a table man. This man mixes his batches for cooking, knows his recipes, colors, flavors, pulls, forms, decorates, pulls out and cuts a great variety of hard candies. He must know how long to cook candy under different weather conditions, as for instance on a hot day his candy must be boiled just a little longer than usual in order to make it brittle. He must know how to decorate each different candy, how to flavor it, and its final form. He may also make nut bars which he cuts by hand.

Hand candies must be cooled a certain amount after being poured on tables. He must be able to know when the right temperature is reached. In addition to all this trade knowledge he must be so skilled that he can turn out candy according to a certain standard.

He begins as a helper to a candy maker and as all candy makers need are helpers, there is no selection possible as to the person from whom a helper gets his knowledge. What he learns is entirely dependent on the good nature of the man he helps and his own intel-

ligence and dexterity. The helper does all the heavy work, lifting, carrying, putting on pulling machine and helps in rolling, twisting, cutting or using a forming machine, as the particular candy requires.

While all firms seem to prefer to train their own skilled workers, at times many advertise for candy makers, showing that the training received in other factories has made them desirable.

If a helper works with a kindly disposed man he may learn the work in a year or in two successive busy seasons. One table man was pointed out who had learned in five months, having been promised a vacancy if he learned quickly. In one factory it is the custom to send an intelligent table man through the different departments, so that he may make candies of all kinds. He is then ready for a job in one of the company's stores as all-round candy maker as soon as a vacancy occurs.

CHOCOLATE HAND DIPPERS

Chocolate dippers sit at tables equipped with central pans, in which is kept chocolate slightly warmer than needed sunk in the tables. A piece of marble a little to the right of the dipper is used to put the warm chocolate on. This is cooled to the right temperature by turning with the right hand. The centers are brought to the dipper by helpers. The dipper picks up the center with her left hand and puts it in her right or tosses it in the chocolate; with the right hand the candy is covered with chocolate with a kind of tumbling motion, picked up and placed on oiled paper on wooden trays immediately in front of the dipper. Care is taken to let the excess chocolate drip off so as to carry to the paper only the chocolate that is about the center, and a mark called a "stroke" being made on the top of the candy with the thumb with a little thread of the chocolate, as a finishing touch.

A dipper must know the temperature necessary to give the required coating; how to regulate this temperature; the coating required; the strokes which ornament each kind of center. After she has learned these things, she must work up speed.

The requirements for a hand dipper are that she appear neat and healthy, and has hands that are not hot and do not perspire. This is usually determined by actual handling of chocolates. No

general education is needed for a girl to become an excellent dipper. Many are foreigners who left school when young, some at twelve. Deaf mutes make good dippers, of which fact manufacturers seem aware, for one applied at asylums for workers.

A green girl starts as a helper, carrying trays and plaques for a few days before being "put to the marble." It usually takes a couple of weeks to learn the strokes, two months to make a dipper and four to five months to make an experienced dipper.

The forewoman gives the initial lesson, then places the new worker between two experienced dippers who teach and supervise. When six or eight are learning at once, they are put at a separate table in charge of an experienced worker who teaches and works with them. The first work is generally coating almonds, as these candies are small and do not show if imperfect.

During slack seasons, rather than let good dipper go, they are kept and they do all the helping at regular wages in this department.

Chocolate dippers have to sit continually in cooled rooms, the temperature being kept from 60 to 68 degrees, to facilitate the drying of the chocolate. Two rooms are not as cold, being kept between 65 and 70 degrees.

BON-BON DIPPERS

Bon-bon dipping is done by girls seated at tables which have pots of cream sunk in them, generally kept warm by steam heated water. The dipping is done with a two-pronged fork on which the center is put by the left hand, the fork being held in the right. The center is dipped into the cream and then placed on oiled paper, the stroke being made with the drip still on the fork. Sometimes when centers are dipped before being covered and the work does not require finish, the centers are dipped with forks that hold two and four centers.

A bon-bon dipper must know at what temperature and consistency to keep her cream, how to regulate them, how to make the strokes, the strokes that belong with certain centers, and perhaps know how to color her cream, watching other colors.

There are no requirements other than neatness and a healthy appearance.

It takes less than twelve weeks to learn how to regulate the temperature and to make the strokes, a month to make a good dipper and two months to make an experienced dipper.

FANCY PACKERS

Fancy packing is work that calls for memory and quickness. The packers have to know the exact place for every piece of candy in every kind of box sold. They stand in front of long tables filling boxes from bulk boxes. The work in most places seems to be done in an inefficient way, many steps being taken and much time wasted getting new bulk boxes and putting full ones back on shelves.

It is understood that in some houses the girls sit and the bulk boxes pass along on a belt, but nothing of this kind was seen.

This kind of packing is piece work and pays better than other packing, but the continued standing renders the work unattractive to many workers. In a few weeks a green girl has learned the locations of the different candies and in two months she is an experienced packer and has worked up considerable speed. Her work is constantly supervised so that chance of mistake is almost entirely eliminated.

REBON WORKERS

These workers are found only in those factories packing fancy boxes, as other boxes are tied with cord.

Rebon workers make bows and cut ends for different sized boxes attached to the bows. They have to know the lengths and the colors used for the different sizes of boxes so decorated, and how to cut ribbon to advantage. They work with and near the head ribbon worker who is responsible for the work.

CRYSTALLIZERS

Crystallization is superintended by men, both girls and men helping. The man who has charge of the work has to know the principles of sugar crystallizing, the length of time different sorts of candies must stay in the syrup, and the amount they must drain after the syrup is run off. Candies that have been crystallized will keep for months whereas uncrystallized gums and creams would remain fresh for but a week.

CONCLUSIONS

From the material gathered it may be seen that but six jobs in the candy industry may be regarded as skilled, namely: Candy making, chocolate hand dipping, bon-bon dipping, fancy packing, crystallizing and pan work.

Of these six jobs, three are filled by men and three by women and girls.

With the exception of a few establishments, most candy factories are busiest during October, November and December. During these three months the plants run full and by December there are few good workers to be had. But this rush is over January 1st; in some factories the evening of December 24th. The workers who have been taken on are then out of work, at the same time that other industries are slack. As candy factories have increased their working force one third and will not need this discarded third until the following October, the question of training workers for this industry is a complicated one.

The greatest number employed in the factories are low paid and unskilled. The introduction of machinery has changed the work so that now much of it is process tending. We find young boys and girls feeding and tending machines, dead end jobs that they have drifted into through lack of ability to do anything else.

The fact is revealed that in the candy industry the worker is placed in the most haphazard way. There is no attempt to provide systematic training in the semi-skilled work, or even increase his efficiency in the semi-skilled job, and bring him a higher wage.

A longer and more extensive study should be productive of suggestions, the adoption of which would materially increase the worth of many workers. The methods observed in packing rooms alone encourage the belief that similar, if less obvious, defects would be found.

3. AN INVESTIGATION OF DEPARTMENT STORE WORK
TO DETERMINE THE POSSIBILITY OF VOCATIONAL
TRAINING

BY

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Special Assistant for Vocational Education, State Education Department of
New Jersey

[1363]

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SCOPE OF THIS REPORT

This report is an attempt to answer the question: Is vocational training for department store employments possible?

As a report it is first of all, not a critical analysis of the business or any department of it. It is not an inquiry into wage, hours, working conditions, or welfare work. It is not offered as an explanation or description of the methods of any store or department. It does not attempt to answer the question, Is training desirable? For this reason the report is not concerned with conditions in the industry, that being outside its scope and having no direct bearing on the "possibility" of this training.

It can only be regarded as a general and preliminary survey of the department store to ascertain whether this is a field where vocational training is possible. Such material is offered as could be gathered in a short time from a very large field and does not in any sense represent thorough or exhaustive investigation of the subject. It can therefore be considered as only suggestive for the further expert investigation which must necessarily precede any trade teaching. To answer this question the report presents a brief analysis of department store work.

This analysis of the business is entirely from the teaching standpoint and for the purpose of determining to what extent there is in each occupation a teachable content which has direct bearing on the efficiency of the employee in the particular job.

Since this report is limiting itself to the content of the industry it takes no account of certain other factors of vocational efficiency, important though they may be, such as health, home conditions and recreation. It is also clearly recognized that in any business

which involves contact with the public there is a large factor of personality and aptitude which cannot be reduced to an analysis. The ability to sell goods is both a gift and an art. These important factors together with the abstract but essential virtues of honesty, courtesy, promptness, etc., are necessarily omitted from consideration in what is a concrete statement of the content of the occupation. Statements in regard to system or store practice are intended to be typical, representing the opinion of the majority, rather than conditions in any one store.

EXTENT OF THE FIELD

Available figures give the number of department stores in New York, Brooklyn and the Bronx as 98. A single large store carries on its payroll 3,500 to 4,000 persons, while from twelve to eighteen hundred is no uncommon number. The demand for this kind of labor is greatest in the cities but it is universal and not confined to the cities of any one section of the State.

Employment is not restricted by sex, but is open to both boys and girls with a fair chance of advancement for both.

The department store offers a wide range of occupations. It not only represents the assembling under one roof and under one management of what are practically a great variety of independent retail stores but also the bringing together of a number of productive trades. Besides carrying on the business of merchandising, which might be called peculiarly its own, the department store incidentally gives employment to representatives of many such occupations as: electricians, plumbers, mechanics, carpenters, cabinet makers, stenographers, bookkeepers, telephone operators, jewelers, opticians, photographers, dressmakers, milliners, laundresses, waiters, cooks, upholsterers, printers, elevatormen, janitors, firemen, and watchmen. Skilled employees in these lines are recruited from the trade itself and the boy or girl entering this kind of service must go through the regular trade apprenticeship.

It is with the occupations peculiar to merchandising that this report has to do, and in these alone there is sufficient variety so that employment may be given to men and women of widely different capabilities. About 50 per cent of the employees of a

department store are in the selling force. These handle the merchandise of from 50 to 200 departments, varying from goods whose selling is merely a mechanical process to those which require highly specialized and technical knowledge. The mail order and the auditing departments employ large numbers of women in work which is mostly clerical but not of a nature to demand trained bookkeepers and stenographers. Men and boys are found in the above occupations and are employed in the receiving, packing, delivery and shipping departments. The delivery wagons and automobiles require an independent force which is engaged in outside work. In some stores the disposition to permit changes which will result in fitting the employee to congenial work and increasing the efficiency of the store service further widens the opportunities in this field.

SOURCE FROM WHICH THE DEPARTMENT STORE DRAWS ITS WORKERS

From the standpoint of age and experience the employees of the department store may be classified as "Juniors" and "Adults". The tendency among the stores is to raise the age at which children will be employed; therefore, there is to be found a decreasing number of boys and girls under 16 years of age. Since a girl matures more rapidly than a boy she can sooner be given a position in the adult group. For this reason no arbitrary age distinction can be made between the two groups mentioned above, but in general it may be said that from 14 or 16 to 18 is the age of the junior group and that these young people hold the minor positions of the departments, as for instance wagon-boys in the delivery department, and all positions in the selling force below that of salesman or woman. Positions demanding maturity and previous experience are in the adult group and are seldom held by the boy or girl under 18. In the selling force the age limit is higher for boys than for girls both because of their slower maturity and because low-priced goods are seldom sold by men.

The junior employees in the department store come almost entirely from the boys and girls who leave school from 14 to 16 and with their working papers go out to find a "job". They may come in response to an advertisement of "Help Wanted"

for cash-girls, bundle-boys, checkers, wrappers or messengers; or they may apply at the superintendent's office during the hours when applications for employment are received, it being the custom for those seeking work to make the rounds of the stores for this purpose early in the morning. Some children are brought in by their parents who have been store employees and are given a trial on the strength of the family connection.

Adult positions are filled, as a rule, from (1) the most competent juniors; (2) those who have gained experience in the five and ten-cent store, this being however only a limited source of supply; (3) employees from the "neighborhood stores"; (4) the mature applicants whose other qualifications offset their lack of experience.

The five and ten-cent stores offer a chance for beginners to secure experience in selling. Most of these stores will not take a girl under 16 for, though the demands on her intelligence are limited, she has the responsibility of the whole transaction; making change, selling, and wrapping her own goods. The girl whose entire experience in selling has been gained in these stores seldom gets a high-grade selling position. Certain stores will take her and put her in departments where the work is much the same — notions, for instance, or inferior positions in the house furnishing and crockery departments. In the last two departments in selling certain portions of the stock the requirements are principally to watch merchandise and hand out goods. This does not demand selling ability of a very high order; the work is easy and the sales mount up. A girl who goes into these departments seldom leaves to be transferred to another.

The salespersons who have gained their experience in the "neighborhood store" are considered by many superintendents to have had the most desirable training for the larger store. In the neighborhood store the salesperson is brought in more personal contact with the customer, a friendly relation being an important factor in making the sale. This kind of experience, it is claimed, puts a more "human element" into the training of the young salesperson than can be obtained in the impersonal contact between customer and employee in the larger store and shows results in courtesy and attentiveness.

While considering the five and ten-cent store and the neighborhood store as means of training for salespeople who may later find employment in the department store, it may not be out of place to mention that service in the department store itself is training for the high-priced saleswoman of the specialty shop. These shops require a certain type of saleswoman; she must be shrewd and wise in all details and methods of selling and she must make a good appearance in both clothes and manner. The very young saleswoman is not desired here. The specialty shops obtain from the department stores expert saleswomen for dresses, suits, waists, furs and millinery.

The responsibility of the selection of employees from among the many who daily apply for work rests with the store superintendent or an assistant who is appointed for this purpose. This selection is usually based on the results of a personal interview, such recommendations as the candidate may have from previous employers, and the filling out of a form of "Application for Employment", this last being the only form of school test to which the employee is subjected.

This report recognizes the importance of the proper selection of employees as a factor in efficiency but cannot concern itself with the question further than the above description of the usual procedure.

NEED OF TRAINING

There is every evidence of the need of training for department store employment, but since this report is primarily concerned with the possibility of training no extended discussion of the need is here attempted. It may be pointed out however that many employers believe that vocational training is necessary in any industry for the following reasons:

- (1) Training which increases the efficiency of the worker pays both employer and employee.
- (2) It is the only means by which certain grades of employees can in the last analysis receive from the industry an increase in wages.
- (3) It is the only way in which many industries can bear the increased labor cost due to a minimum wage law.
- (4) A high percentage of shifting employees in any industry

indicates waste. Many employers find it more economical to train than to discharge.

Certain conditions in the department store specifically indicate the need of vocational training in this industry. Employers agree that it is difficult to secure a sufficient number of trained salespeople and increasingly difficult to fill the more responsible executive positions, while for the elementary places it is only necessary to select from the numbers who apply. This discrepancy between the number who enter the industry and those who qualify for promotion* should lead to a serious consideration of the cause.

The presence of a large number of women in the business (approximately 80 per cent. of those employed) accounts partially for a certain number of those who enter but do not qualify for promotion. The average length of service for the girl in the department store is generally estimated at about four years. Her stay in any kind of industry is from three to seven years when the majority leave in order to marry. Failure and a desire for change eliminate a small number who constitute the rolling stones of industry. There are also those who stay in the store long enough to secure experience which enables them to succeed in more congenial employment. This leaves a large number who remain in the business but who are more or less stationary. The presence of this stationary group points to the need of training to do away with the discrepancy already mentioned.

Additional evidence of the need for training is revealed in the analysis of the industry which shows the content of the low-grade job to be small with a much larger content in the higher-paid positions. The normal method of promotion in the business is by advancement through successive occupations or steps in the department.

One of the necessary qualifications for promotion is to master the content of the "job ahead". It is for this purpose that the need of training is evident. In this connection it should also be pointed out that promotion may not be the only reward of train-

* NOTE.—No figures were obtainable as to the ratio of the number of high grade positions as compared to those of lower grade. The opportunity for promotion is a factor to be considered in determining whether vocational training should be given in any industry. It concerns the advisability, however, rather than the possibility of training.

ing. Greater efficiency may be recognized by immediate increase in wage under the very common commission system which particularly affects the selling force.

OPPORTUNITIES FOR THE TRAINING

That there is in the normal store day a certain amount of what might be called "dull time" was stated, with one exception, by the managers of the stores visited. The early hours of the morning are least busy since the bulk of the trade does not arrive before 10 o'clock, and in some stores the hour is even later. While much of this time is needed by the employees for care of their departments, a certain portion of it could be spared for instruction without loss to the business.

The number of employees required to serve a department during the busy hours is so far in excess of those needed during the entire day that it would be quite possible to arrange a series of shifts by which those needing instruction might be freed for this purpose. This is the method employed in those stores where classes for employees are already in existence. An instance of this is where one group attends Tuesday and Thursday from 9 A. M. to 10 A. M. and another group on Wednesday and Friday at the same hour.

AIM OF THIS TRAINING

In general, classes for training employees seem to have been established as a part of good business management, although there is reason to believe that in some cases classes have been organized for advertising purposes or as welfare work. This report is concerned only with the first — that is, with the training of the employee that he may render equivalent service for the wage which he *desires*. It is believed that well organized training having this aim can be made to accomplish three necessary things: (1) bring the individual who is below a minimum standard up to this standard; (2) give such increase in efficiency as shall compel increase in wage; (3) fit for the "job ahead."

THE GROUP TO BE TRAINED

The employees of average ability constitute the group which, at present, most need the training that can be given. In every

department store there are most convincing instances of the opportunities which exist for advancement. Cases are numerous of boys and girls who have entered the stores in the lowest grades and advanced to responsible executive positions. These of course represent the minority and are excellent proof that the exceptional person will find his own way to success. The training which is contemplated will not materially affect this group as it has demonstrated its ability to succeed without it. Exceptional or extreme cases have very little bearing on the real solution of any problem. This eliminates from the present consideration those of unusual attainments or marked ability as well as the lower extreme which is made up of misfits and incompetents. There are in every store the rank and file of the employees whose ability to improve the quality of their service depends on direction and stimulus which they themselves cannot seem to furnish and which they do not appear to get from the resources which the store at present offers. Included in the rank and file are a small number whom the management would eliminate at once if it were not for the fact that their positions would probably be filled by others as mediocre.

Every effort to raise a scale of remuneration, whether in this industry, other trades or the professions is hampered and deferred by the presence of the "average worker." For the present, at least, training for department store employees must be organized for the needs of the "average worker," if for no other reason than that he constitutes the majority.

EXISTING METHODS OF TRAINING

In nearly all the stores visited there was found a growing consciousness that the interest of the business demands a consideration of the problem of the unskilled employee. While there appears to be no unanimity as to the methods to be used in approaching the problem there exists at least a tacit recognition for the necessity of some kind of training, as evidenced by the various classes already in existence. So far as could be found there is in the department stores of New York City but little vocational instruction for employees organized according to the standards and methods which have been found successful in the best vocational training in other industries.

As to the success of the instruction which already exists, very little can be said. In the last analysis success must be largely measured by the promotions or increases in wage it brings.

Little evidence of this kind could be obtained in regard to existing instruction.

With reference to such instruction the following points call for further consideration:

(1) The instruction in many instances has not been in operation for a sufficient length of time to be fairly judged by its results.

A few concerns are taking steps to organize instruction for their employees, which shall be trade training and have engaged directors for this work. Most of it is still at the point where plans are tentative and methods experimental. Within the last year continuation classes have been started for the 14 to 16 year old employee in six department stores in New York City and Brooklyn. These classes are under the control of the Board of Education and are taught by regularly certified teachers. The stores provide the necessary class room and send certain of their junior employees during store time. The instruction given in these classes is mainly a continuation of the elementary subjects in the public school taught with reference to their application to department store work. The development of this work will be watched with much interest.

(2) The facilities for training in most stores have been so limited when compared to the number of employees to be reached that instruction has usually been confined to a relatively small group. Usually, this group has been selected on the basis of ability or ambition. The personal element has, therefore, been an important factor in the success of the instruction. Instruction in nearly all instances has been limited to some portion of the selling force. Under these conditions, the results obtained and the methods used have but little significance in any consideration of the problem of training as a whole.

(3) The existing methods of giving instruction employed by many stores are strongly influenced by the practice of the regular school both in the organization of classes and in the handling of subject matter. It results in the bringing together of a class which

may not have a common need and in giving instruction which is general rather than specific in its application.

In this connection mention should be made of certain classes maintained for the general education of junior employees. These are not strictly trade training classes and are organized on traditional school lines for the teaching of academic subjects. Instruction is given at store expense and in store time and is compulsory for all employees of a certain grade.

(4) By far the oldest and most common method of giving instruction is by "Talks." These might be classified as: (a) those on abstract subjects such as courtesy, promptness, etc.; (b) general subjects such as, "How to keep up sales in hot weather;" (c) buyers' talks on stock.

The system under which these talks are given is not always the same, but it seems to be the general practice to make superintendents and heads of departments each responsible for a certain number of lectures, supplemented by talks from the buyers when there is particular merchandise with which the people in their department should be familiar. There is no method of checking up the value of this kind of instruction which must in a measure always depend on the personality and teaching ability of the speaker. Knowing the type of mind to which these talks are addressed, it is reasonable to assume that those deriving the greatest benefit from them are the exceptional persons, previously mentioned, who are able and anxious to secure information, under all conditions. In addition it may be said that from the standpoint of good teaching, *talking* is about the weakest method of instruction for the following reasons: The average pupil has difficulty in following instruction given in this way; the talker's experience is so much broader than that of the listener that frequently he unconsciously goes beyond the latter's comprehension; the pupil is entirely passive and this is not the best way a person learns.

(5) Almost without exception the department stores visited provide instruction in "Store-system," especially as it deals with the store's individual method of making out C. O. D. charge, exchange and other sales-checks. This teaching is given to all who go into any selling position in the store and in the case of a newcomer it is necessary if she is inexperienced or even if she has come as a salesperson from another store.

"Blunder classes" are for the correction and consequent prevention of careless mistakes and have only a shifting membership of those who have grown slack in the service which they render. These are a common method of bringing together an error, usually clerical, and the person who had made it.

While not properly classed as "methods of teaching" there are a number of provisions for obtaining information which might be mentioned here. The section manager, head of the department, and buyer, or his assistant, are all accessible to the employee who wishes information in regard to stock or store system. Not only can they be appealed to for information but it is a part of their duty to give it. "Sales bulletins" are distributed to employees in order that they may be informed as to special merchandise, and early in the morning any employee may obtain a "floor-permit" or "floor-pass" to go to any department to do her own shopping or to gain general knowledge in regard to the store.

LINE OF PROMOTION

There is no absolute line of promotion through the industry. The occupations in the following analysis are listed in the order which they would normally occur in the industry and the consecutive numbers indicate what might be called typical progress through the department.

Transfers between the departments may occur at many points throughout the industry. These transfers are sometimes made in the way of promotion and sometimes in order to make a better adjustment between the worker and his job.

ANALYSIS OF THE INDUSTRY

In order to come to a clear understanding of whether training for department store employees is possible, and if it is possible, to gain some idea as to the probable nature of that training, a brief analysis of the business has been made, dividing it into types of employment or jobs.

There are certain limitations in regard to this analysis which should be noted: (1) In the working force of every department store there are representatives of certain well defined and recognized occupations, such as bookkeepers, stenographers, carpenters,

dressmakers and a variety of others which have already been mentioned on page 1368. Representatives of these occupations have no consideration in this report as it is felt that the question of their training can be more adequately dealt with under an independent analysis of the trade in which they are employed. (2) No one of these analyses can be considered as standard. There are as many different ways of handling the details of a department's business as there are stores. This is clearly shown by the fact that no matter how extensive the previous experience of the salesperson, on taking a position in a different store it is at once necessary to learn the store system in regard to sales-checks. Nearly all stores maintain classes for instructing new salespeople in this detail. Another illustration of this variation between the similar departments in different stores is found in the auditing departments, that of one store having five distinct jobs while in another store the same department, which employs more girls than the first, has the work divided into only two jobs. (3) Certain occupations in addition to those mentioned above have been omitted from this analysis. The omission is made in the case of window-dressing and advertising, for instance, because these may be more accurately considered arts rather than trades. The special order of ability required in some executive positions, such as buyers, excludes them from a general discussion of this kind. Others have been omitted because they afford employment to comparatively few persons or because they are in the nature of "special positions" outside the routine of the department. Complaint tracers, slipper trimmers, and special clerical positions might be cited as instances of the foregoing.

From the method which has been employed of analysing the industry by departments, it should not be inferred that these departments are entirely distinct and unrelated in their content. The knowledge of stock gained in the receiving and marking room of a department for instance, makes it possible to transfer a checker in this department to a selling position. Such transfers of employees from one section of a department to another are frequently made, sometimes at their own request and sometimes in the interest of the service. A boy or girl, who has not the necessary qualifications for a position which requires contact with the

public, is not for that reason debarred from employment in the department store, since about 50 per cent. of the positions are what are termed as "non-selling." The employees of the department store are generally classified as belonging to one of three divisions: selling, delivery, or office force. In some stores only two divisions are recognized, "merchandise" and "service." In the following pages a brief analysis is made of departments in each division showing the occupations and their content.

SELLING DEPARTMENT

(Positions open to both men and women.)

1. *Messenger, errand boy or girl, wheeler.*— These represent the initial positions open to a boy or girl who comes into the department store with no other qualification than age and schooling certificate,— that is a working paper — who is either 14 or 16 years old (stores differ in age requirements) and who wishes to work up to a responsible position. While this is reckoned as an initial position in the selling department it might be more accurately classed as the initial position which is open to the young boy or girl and which may lead to employment in almost any department of the store.

What the worker does.— Errands from one part of the store to another (inside); carries goods; answers calls.

What the worker must know.— The different departments in the store; where they are; what is in them; names of important store people; how to read.

2. *Merchandise checker or packer.*— (Girls).

What the worker does.— Compares goods with sales-check; discovers errors; wraps and returns goods to salesperson. (Wrapping of bulky or fragile articles is not done by checker.)

What the worker must know.— Store system of sales-checks, not for the purpose of making out these checks but to find errors in them; elementary processes of arithmetic, in order to figure checks rapidly; technical knowledge as to how best to fold and wrap certain kinds of goods, using as little paper and string as possible; a small amount of manipulative skill to do this rapidly and neatly. The use of envelopes for small articles has simplified this work.

3. *Stock boy or stock girl.*— May be on the floor or in reserve.

What the worker does.— Keeps stock in order, clean and in the right place; attaches price tags and labels properly when loose or missing; checks up stock according to lists which are furnished; reports over and under supply of any articles; in some cases marks goods according to directions which are given.

Some kinds of stock, such as gowns or coats, must be kept in repair. Practice differs as to whether the stock girl or salesperson is responsible for this. If it is the stock girl she must go over the stock and continually watch it for missing buttons, rips, etc., and take the garments needing repair to the workrooms.

Shoes also require special attention from the stock boy or girl, as they must be kept properly mated.

What the worker must know.— The kinds of stock; the place of stock, and the quantity which is kept on hand; the store system of marking (not the cipher, but how the price tag is filled out); how to make plain figures or know how to use the marking machine, or both; should be able to understand an invoice in order to check goods; know the fundamental processes of arithmetic; write plainly; spell the names of articles in the department; have a well developed sense of order and system.

At this point transfers to other departments are often made. For instance, a girl may become clerk for a buyer or go into some of the office positions while a boy may enter the delivery department.

4. *Salesman or saleswomen.*— Preliminary to becoming a salesperson the boy or girl is generally placed on the contingent force or becomes a junior salesperson. Initial selling positions are at the notion counter at bargain tables, where the goods are all of one kind or one price, and at special positions so located that they are under the immediate supervision of the head of the department or an experienced salesperson. Children's goods such as their clothes, handkerchiefs, and shoes are considered easy positions in their respective departments. An adult with no previous store experience may secure a selling position if his personal qualifications are such as to offset the lack of experience. An easy position will be given to this kind of a beginner.

The position of salesperson means constant contact with the public. Speaking in very general terms, men's furnishings, bulky

household articles such as furniture, rugs and carpets, sporting goods, groceries and so on, are sold by men; women are employed for the selling of books, stationery, house furnishings, and articles for women's use, with the exception of silks, dressgoods, and household linens. Established custom has placed the selling of this merchandise largely in the hands of men.

What the worker does.— Shows goods; answers questions; serves the customer with desired quality, style, quantity and price; makes out sales-checks; reckons the amount of sale; takes directions for delivery; sends money to cashiers and goods to merchandise checkers; verifies returned change and gives the parcel to customer. Sees that counter is kept clear and stock in order; reports to buyer of department all calls for goods not in stock.

What the worker must know.— Courtesy; how to address the customer; how to show goods and close the sale; knowledge of stock (this differs with each kind of stock); knowledge of the store and stock of other departments sufficiently well to answer questions and make suggestions; store-system and delivery service of the store; rapid use of elementary processes in arithmetic, fractions in some departments; spelling of proper names and addresses; ability to take dictation of names and addresses rapidly and accurately.

Where the worker may go.— Positions in the selling force open to both successful salesmen and saleswomen are: head of stock; head of the department; assistant to the buyer and buyer. Details of these positions are not considered here as training for them is beyond the scope of this report and personal ability is the chief factor of success. The expert salesperson who is selling on commission often refuses promotion to the above-mentioned positions as it often means increased responsibility at a salary very little higher than the total of wage and commission.

AISLE SUPERINTENDENT, SECTION MANAGER OR FLOOR WALKER (MEN)

The title of "Aisle Superintendent" or "Section Manager" as compared with the former term of "Floor Walker" indicates the change which has been made in name to correspond to the in-

creased dignity and responsibility of this position. While the amount of authority given to these men differs among the various stores they are no longer considered as mere patrols. It is entirely an adult position and requires a certain dignity and presence. There are a variety of sources from which the worker may come. While many stores obtain their aisle managers from among the selling force a number of instances were found where drivers had been transferred to inside work and given these positions. It is not uncommon for men to be given positions as aisle managers who have had very little store experience but have come from outside occupations where they have gained such knowledge in dealing with people as would fit them for this very diplomatic position.

What the worker does.—Represents the management. All questions of the return and exchange of goods, dissatisfied customers are referred to him. He acts as an adjuster. He also answers questions and directs customers.

What the worker must know.—Location of goods and departments in the store. The store system. Have a general rather than a specific knowledge of stock. Know how to deal with people.

Where the worker may go.—This position is regarded as more or less permanent.

DELIVERY DEPARTMENT — OUTSIDE — MEN

This is outside work in which there is contact with the public. The boy who goes into this department needs to be courteous as he represents the store at every house where he calls to deliver goods. He must be honest as he has in his charge both store money and store property. He may come to this department either from the usual beginner's job of messenger or if he is well grown and intelligent direct from school or one of the minor jobs which a boy gets on leaving school. He must be 16 years old and if he is to reach a responsible position in the department must have had at least a grammar school education. There are places in the department for a few younger boys to work as outside messengers. The promotion of these boys would be either to inside work as assistants to the credit clerk or to outside work as wagon boys.

1. *Wagon boys or helpers.*—"Helper" is generally the assistant on trucks carrying heavy goods.

What the worker does.—Delivers packages from wagon to house-door; collects packages and leaves a receipt for same. Collects C. O. D.'s. Must sign for them. He sometimes makes up the collection sheet and totals it, but this is usually the driver's work.

What the worker must know.—How to read writing; recognize numbers and names of streets quickly. For this work his sight must be good, as his night work is done by the aid of very uncertain lights, and addresses are often almost undecipherable. He needs to know the names and location of streets and the location of numbers, particularly the numbers at cross-corners; how to get this knowledge from a street directory. His route covers the delivery of from 150 to 300 packages and to do this quickly he needs a trained memory. He must know the difference between "Paid" and "C.O.D."; make change rapidly and accurately; write a fair hand, and have a knowledge of arithmetic, particularly addition.

2. *Driver or chauffeur.*—*What the worker does.*—He is responsible both for the load and for the money collected; must stack his load so that packages can be taken out in rotation as he reaches street and number. (Experience in trucking and general delivery such as bakery wagons or coal does not give a man the necessary training for department store work.) Must drive the horse or run the motor; make minor repairs on the road. Demands of firms vary as to the amount of repairing which must be done in the garage by drivers. Law says that he must be 18 before he drives, but most stores raise the age to 21 as this is a protection in case of accident.

Fills out delivery sheet, totals it and returns to office with proper amount of money at the end of each trip.

What the worker must know.—Same requirements as helper with a better knowledge of streets and numbers and their relative location; must have a memory for addresses; this is absolutely necessary for the stacking of a load, which may include 150 to 300 packages, for it expedites delivery. Must know traffic rules. How to drive a horse or know enough about automobiles to get

a chauffeur's license. Must know how to make minor repairs on the car. Write legibly, add rapidly, make out a daily delivery sheet and balance his cash.

Where the worker may go.— (a) Section foreman.

(b) Charge of transfer room.

(c) Head sheet writer.

(d) Head packer — 75 per cent of the "sent" merchandise is wrapped in the department where the goods are sold and requires no packing. Only breakable or bulky articles are packed in delivery department. The packers usually come from the wholesale houses or outside as there are no "boy" positions in this line.

(e) Supervisor of outgoing goods and teams.

(f) Head of express section.

(g) Credit man — all return credits.

(h) Router.

(i) Delivery cashier — responsible for all money and accounts of department.

(j) Superintendent of stables.

(k) Superintendent of delivery department.

(l) In some stores he may come into the selling department and become a salesman or aisle manager.

RECEIVING AND MARKING ROOM — INSIDE — MEN *

The positions in this department are so closely related to those in the selling department that there may be frequent interchange between the two departments. For instance, a girl from one of the minor positions in the selling department may come in as a marker and if she shows ability be returned to the floor in a more advanced position. There are opportunities in this department for the boy and girl who cannot hold a position where there is contact with the public, as for instance, one who has defective speech.

1. Messenger.—

What the worker does.— Errands between departments; carries goods to departments, usually in a wheeler.

* Girls are employed as "markers."

What the worker must know.— How to read. The location of departments and the names of people in charge.

2. *Marker.*— (Instead of becoming a marker the messenger in this department may be shifted to stock boy in some section.)

In some stores the position of marker is considered the last opportunity for those boys and girls who have failed to make good in other occupations. This is not true of all departments, however. Many of the markers are young girls who have been promoted here from messengers in the selling department and who will probably go back to that department as stock girls.

What the worker does.— Marks goods by hand and machine.

What the worker must know.— This is a mechanical job, the boy or girl holding it must make plain figures and use a marking machine. Goods are marked according to a code which the marker does not know. She is given a sample ticket and told how many copies to make.

3. Checker.—

What the worker does.— Checks all merchandise as it arrives to be sure that the goods charged for are received.

What the worker must know.— How to read writing; to read an invoice. Must be competent at simple arithmetic. Must know, for instance, that 12 doz. at \$2 a doz. means \$24. He has no records to make.

Where the worker may go.— At this point transfer is sometimes made to the selling force. The line of promotion in the receiving room would be assistant to the clerk who is head of the department, clerk in charge of the room, or street receiving clerk. For the latter position, the worker must have a sufficiently forceful personality to deal with the various express and truckmen who deliver merchandise at the door of this department. He is responsible for the prevention of fraud, must sign for all deliveries and keep a record of the same.

OFFICE DEPARTMENTS

In a brief report of this kind it will be necessary to deal with the numerous positions in very general terms.

The number of departments in which the office force is employed, the size of the departments, and the details of their

organization differ in every store. In certain instances this part of the business is organized into many departments and the departments further subdivided for the handling of details until in many cases an occupation consists of a single operation. This is illustrated by the practice in one store where the organization is so detailed that an incoming bill is said to pass through 26 hands before it is finally paid and filed.

Since it has been found impracticable to analyse every department of all the stores visited, and since no organization can be given as typical, a number of departments have been selected from among the different stores and their analysis is submitted in the following pages. Certain general conclusions can, however, be drawn in regard to the office positions: (1) A majority of these are filled by women. (2) In a great number of cases a man is at the head of the department. (3) The initial positions in most of these departments are open to the girl who is a grammar school graduate and in some cases to one who has only an age and schooling certificate. (4) There is possibility of interchange between these positions and junior positions in the selling force. (5) The stores prefer to train employees in their own system, and store experience is reckoned of more value than a business course. (6) While there are possibilities of promotion in all these departments the opportunities are not so great as they are in the selling force. (7) Certain general requirements for these positions are the same: (a) The girl must be apt at reading, writing, and here attention should be called to the difference between reading hand writing and reading print. (b) She must have a sense of order and neatness. (c) Make plain figures. (d) Know the store system. (e) Must be accurate and quick in the fundamental processes of arithmetic, among which may be mentioned addition and, in some instances, percentage.

CORRESPONDENCE DEPARTMENT — CLERICAL — WOMEN

No place here for young and inexperienced girls as it is necessary that the girl be mature and shall have had sufficient experience in the store to make her familiar with the business system. This experience may have been gained as a saleswoman or in a clerical position.

1. Mail reader.—

What the worker does.—Opens and reads the letters which are delivered at her desk by the men, who sort them roughly by means of the information gained from address and return on envelope. These letters she sorts according to contents and sends to proper department.

What the worker must know.—The store organization thoroughly so that she may refer a letter to a buyer either by his name or by his goods, and must likewise know executive heads not only by name but by departments. Must know to whom to refer letters which are not explicitly directed to any person.

2. Cashier.—

What the worker does.—Handles all cash which comes in through the mail and is responsible for it. Sends receipts and assigns cash to accounts which it should cover.

What the worker must know.—Full knowledge of business "avenues" of the store, as for instance, delivery, bureau of adjustments, invoices, credits, retail accounts, foreign office.

3. Head of room.—

What the worker does.—Is responsible for the management of department and balance of the books.

What the worker must know.—All details of the business of the department and their application to the store organization.

Where the worker may go.—Positions in this department are looked upon as a desirable promotion for the mature and experienced girl.

Where the worker has exceptional ability she may be transferred from this section to executive positions in the office department.

AUDITING OFFICE — CLERICAL — WOMEN

Many young girls apply for positions here as the work is easy and not done under the pressure which sometimes exists in the selling department. Standing and sitting can be alternated. Girls from this department do not as a rule go into the selling force. Girls may come here from among the store messengers or direct from "outside" as no previous experience is necessary for the initial position.

1. *Sorter.*—

What the worker does.— Sorts checks into packages according to the department number or letter and a serial number. (Each firm has its own way of marking checks and sorting is done according to the store system.) Each day the checks of the preceding day are sorted and the sorter must detect errors in date.

What the worker must know.— How to read numbers and letters and put similar numbers together. Must understand the relation of consecutive numbers.

2. *Checker or check auditor.*—

What the worker does.— There is a balance sheet in the back of each salesperson's check book, on which is entered the total of all sales checks. This is sent to the auditing department daily. Checker balances the checks with the tally sheet. Balances the totals. Records missing checks.

What the worker must know.— How to read figures and run an adding machine.

3. *Credit clerk.*—

What the worker does.— Fills out credit sheets by departments and totals both the departments and the sheet.

What the worker must know.— The store departments and their numbers so that if a check comes in without a number she can supply it, and credit the check to the proper department. Make plain figures and add accurately. How to use adding machine.

4. *Clerk in charge of cash analysis.*—

What the worker does.— Fills out and totals certain record sheets used in this department.

What the worker must know.— The system in use; make neat and plain figures; add and use an adding machine.

5. *Bookkeeper.*—

What the worker does.— Keeps the books containing records of the auditing department. She is not, as a rule, required to do complicated bookkeeping nor a great variety of it but the keeping of certain records of the department are placed in her charge.

What the worker must know.— Simple bookkeeping according to the method used in the department for the particular record which she has to keep. Must be able to make plain figures.

Where the worker may go.— Auditing department, other more exacting positions in the office departments, or outside.

DEPARTMENT OF RETAIL ACCOUNTS — CLERICAL — GIRLS

Positions in this department may be regarded as promotion from the auditing department. Girls who prefer clerical work may also come here from the selling force.

1. *Assistant bookkeeper.*—

What the worker does. Assorts the schedules in readiness for the bookkeepers to post (assorts them according to names as "Smiths" and then J. "Smith's"; goes over the extensions, lists vouchers; looks up credits, locates charges.

What the worker must know.— Fundamental arithmetical processes; discounts (principally 10 per cent. and 8 per cent.); must be familiar with store method of transferring. (Every store has a different method.)

2. *Bookkeeper.*—

What the worker does.— Posts books, must be careful to enter correct name and address and to distinguish between Jr. and Sr.

What the worker must know.— Single entry bookkeeping. Girl with store experience more desirable than one who has had only commercial school experience.

In this department there are what are called complaint tracers. They are both men and girls (over 20) whose business it is to follow up all complaints and collect them. Men it is said usually come from positions as office boys.

Where the worker may go.— More responsible positions in the office department or outside.

MAIL ORDER DEPARTMENTS — CLERICAL — WOMEN

The analysis of the mail order department like those of the other departments which are given can only be considered as typical. As an illustration of the point already made, that no one analysis of any department can be considered as standard, two analyses are given of the occupations of this department showing how the same kind of business may be handled by two systems which result in a considerable difference both in the number of occupations and their content.

Store No. 1

Letters are read by the head of the department, sorted and given to a clerk who makes separate slip for each item called for in the letter. A serial number is given to a letter and the same number placed on these slips. After this the slips are sent to the head sales persons in the departments carrying the goods called for.

1. *Filer.*— Girl should be a grammar school graduate and have some knowledge of the store, which has been obtained in one of the minor junior positions. A green girl is only taken in this department as a messenger.

What the worker does.— Files orders after they are filled, first by serial number and then alphabetically (the method of filing is, however, a detail of store system). She has charge of the file cabinets for the department.

What the worker must know.— How to read writing. What is meant by alphabetical arrangement and the relation of serial numbers. Must be orderly, accurate, and systematic. Know the store system of filing.

2. *Shopper.*— Must have the knowledge which she would get as a filer. If she comes into the department from a selling position, as sometimes happens, this knowledge must be taught her.

What the worker does.— Rechecks orders after they have been filled in the various departments.

What the worker must know.— Know all classes of merchandise carried by the store; the location of the departments; and the head sales person in each department who is responsible for filling orders.

She does not have a knowledge of stock as the department supplies this.

3. *Inspector of shoppers.*—

What the worker does.— Supervises all shoppers in the department.

What the worker must know.— System of the department. Merchandise carried by the store; location of department, etc.

From this position the worker may be promoted to any one of the executive positions in the store which are held by women. Head of department, a man, who might come from delivery department or credit room or a position from outside where he had shown executive ability.

Store No. 2

In the mail order department of store No. 2 the letters are sorted by the head of the department or her assistant and assigned to sample clerks or shoppers for attention. Shipping-slips are made out by a clerk and attached to the letters. A girl may come directly to this department as a messenger or be assigned her from a minor position in the selling force.

1. *Messenger.*—

What the worker does.— Errands for this department which take her to all parts of the store. Carries goods.

What the worker must know.— Location of departments; head sales person in each merchandise department. Materials.

2. *Sample clerk.*—

What the worker does.— Takes letters asking for samples to departments where the goods are carried and collects samples as requested in the letter.

What the worker must know.— Must be able to read writing and decipher letters. Must know materials and colors. While the samples are cut for her by sales person in departments, she must use judgment and intelligence.

3. *Head sample clerk.*—

Oversees work of other sample clerks and checks up samples and letters to see that the order is properly filled.

4. *Order clerk.*—

What the worker does.— Checks up shipping slips and letters to see if address and items are correct. Fills orders by going to head salesperson in proper department. Sees that shipping ticket is attached to goods selected. After filling order makes out memorandum, which is more or less the nature of a form letter to be sent to customer in regard to goods. In this memorandum are noted any substitutions which may have been made in order, etc. This memorandum with letter comes back to head of department or assistant.

When a girl first becomes an order clerk she is given easy orders with only one item and is gradually promoted to more difficult work.

What the worker must know.— Must be able to read writing and decipher the meaning of obscure letters. Must know material,

style, and values; needs judgment and intuition. Should know how to phrase correctly the information contained in her memorandum so that it may be translated into a form letter to the customer.

There is in the department a file clerk who may come from a minor position in some other department, or who may be taken from among the sample clerks.

Where the worker may go.—An order clerk is well qualified to become a competent saleswoman and may be used as such in an emergency.

The head and assistant-head of this department were both women who had worked through the various positions in the department. This fact shows that these executive positions are open to competent women.

Tube-Room Girls

This is cashier-work and in a way an isolated position, in that it does not require knowledge which must be gained by an apprenticeship in other departments of the store.

Promotion from this department would be some executive position in the office force and not to a selling position. While a bright girl without previous experience may sometimes secure a position as tube-girl the larger stores generally insist that the applicant must have had some previous experience as cashier, which is usually gained outside.

1. Tube-girl.—

What the worker does.—Opens carrier; tears voucher off check and sticks it on spindle; makes change, returns check and change to carrier and starts it back.

What the worker must know.—The arithmetic necessary to make change rapidly; addition and subtraction. A limited amount of manipulative skill necessary for a few rapid motions.

Where the worker may go.—A position as bookkeeper in the tube-room is open to a competent tube-girl who may desire this change.

HOW CAN THE TRAINING BE GIVEN

Group.—From the standpoint of the school two kinds of training appear to be possible: trade preparatory and trade extension training. So far as this investigation shows, there is some un-

certainly as to the possibility of successful trade preparatory training for those who expect to enter the department store service and hope through this training to better their chance of obtaining employment. It would seem that, for the present at least, the teaching which can be given with the greatest certainty of results is trade extension training for the group who have already obtained their foothold in the business and to whom experience is demonstrating their deficiencies and need of certain knowledge.

Organization.—The acceptance of this, the trade extension group, as the group to whom training is to be given, at once makes clear the necessity for methods of organization and instruction different from those of ordinary school practice. The preceding analysis of the industry showing the content of the occupations has, it is presumed, made clear that in each job there is a certain quantity of definite knowledge, however small, which differs from that of the preceding job.

Any organization which is contemplated must have as its aim the putting of this knowledge in the possession of the person who needs it by direct and simple methods.

Part-time or continuation classes such as are already in existence offer the most practical method of organization for this purpose. These classes should be, as far as the store organization will permit, sufficiently flexible to admit of what might be called "immediate application of instruction" to individual necessities. This would provide for the teaching of groups brought together by the need of similar help and held only so long as was required to give the particular assistance for which they came. This method makes the unit of class organization a common need, rather than age, previous school experience, or even employment in the same department. It would result in some such practice as the following: Giving four half-hour lessons in fractions, particularly $\frac{1}{3}$, $\frac{1}{4}$, $\frac{5}{8}$, $\frac{2}{3}$, $\frac{3}{4}$, $\frac{7}{8}$, to girls selected from the various departments selling yard goods because their sales-slips showed errors of this kind or because they were found to be slow in this kind of reckoning. Young saleswomen from the lingerie and lace departments might be given information which they could turn into sales if they had two forty-minute lessons on the new laces which a radical change in fashion brought in.

It might further be stated that, as in all vocational teaching, the size of the class should be limited to numbers which will permit the instructor to come in personal contact with all the pupils.

As far as possible the instruction should be "training on the job", the atmosphere and conditions being those of the store rather than the school room. While this does not imply that classes can be held only in the store itself, it does raise serious objections to the regular school as a place in which to give trade extension work to the department store employee.

Instruction.— Any instruction which is undertaken should be based on a careful and thorough-going analysis of all the occupations in the store where the instruction is to be given, for the purpose of determining their exact content and the demands for knowledge and skill they make on the worker. This analysis should be much more detailed and comprehensive than the brief study contained in this report. It can successfully be made only by those persons who through long experience are thoroughly familiar with the occupations to be studied. This information should then be brought together and organized into suitable courses.

The analysis given in this report indicates that the data thus obtained will show (1) a small content of general knowledge common to several different occupations, as for example a knowledge of addition, and (2) a larger content of specific store knowledge which varies more or less as between any two occupations; for instance, the knowledge of various kinds of stocks in different departments.

The method of instruction will largely depend upon the knowledge to be taught. So far as general knowledge is concerned instruction may sometimes be given by the class method. But the presence of new employees constantly coming into the industry makes it necessary to give even this instruction by the individual method. Such instruction should always be presented in the language of the store and wherever possible in the terms of the workers' experience. Training in specific store knowledge can best be given either by individual instruction, or by the group method in which short unit, or brief, courses of a few lessons each, are given to a limited number of persons. The subject matter of

these lessons should be based on a common need which brings the group together. For instance, the need of instruction in color and color combination might be the reason for forming a class made up of slipper saleswomen from the shoe department for three short lessons in this subject. Need of similar instruction might bring into the same class young saleswomen from the ribbon department. On page 1404 of the Appendix are given further illustrations of what is meant by short unit courses.

Any instruction which is given in the class should be followed back into the store by the instructor. He should be in contact with the work of the employees for the purpose not only of following up his instruction but also in order to discover new needs and gather additional material.

In training for trade work actual experience in the occupation for which instruction is to be given has been found to be the most essential qualification for the trade teacher. This is more necessary than teaching experience or academic training, and while it does not eliminate the desirability of either, trade experience should be the deciding factor if a choice is to be made between the person who has worked in the industry and another whose training is entirely academic. Since this is true the department store itself offers a source from which teachers may be obtained.

CONCLUSIONS

This report finds:

(1) There is a need for vocational training in the department store. The difficulty of securing competent workers, the lack of those properly qualified for promotion, and the special knowledge required for efficiency in the various occupations indicate that this need exists.

(2) There is a wide field for this kind of training as shown by the number of employees and the variety of occupations in the business.

(3) The industry largely depends for its new workers upon the untrained boy and girl who leave school between fourteen and sixteen years of age.

(4) Store organization is such that there are opportunities to give the necessary training.

(5) While there are a number of schemes of training in operation they are confined to relatively few occupations and have not yet been developed to the point where they fully meet the needs of the industry.

(6) Very little information is available as to the value of training in terms of increased wage or promotion. Such data as could be obtained are given in the Appendix.

(7) Promotion is common in the business and is normally through successive steps or occupations within each department.

(8) The analysis of the business into departments and occupations shows that in each type of employment there is a certain definite content of knowledge or manipulative skill or both, for which training can be given. In certain places this content of knowledge is considerable and must be acquired by the efficient employee.

This report recommends:

(1) That training for department store service be conducted on a part-time or continuation basis.

(2) That, for the present, this instruction be organized as trade extension rather than trade preparatory training, the possibilities of the latter being limited.

(3) That the fundamental aim of the training be to increase the vocational efficiency of the worker, and that the instruction be specific, supplementing the employment in the store, and not general in character.

(4) That the training be carried on in the store, or in some place in conjunction with the store, where the necessary business atmosphere can be secured.

(5) That schemes of training should first be planned to meet the needs of the "average worker" and later extended to other employees.

(6) That any plan of training should be preceded by a careful and comprehensive analysis of the industry for the purpose of determining the content of each occupation and its factors of efficiency.

(7) Wherever possible such resources as already exist should be utilized for the purposes of this training before other measures are adopted. Suggestions concerning such resources are given in this report on page 1401 of the Appendix following.

APPENDIX

VALUE OF TRAINING

Very little data could be obtained from the department stores visited as to the actual value of training as expressed in terms of promotion or increased wage. This lack of evidence is due both to the fact that instruction from which the most definite results are expected is of too recent inauguration to have been fairly tested and because, so far as could be learned, no attempt has apparently been made to check up the efficiency of the general talks which have heretofore been the most common means of teaching.

The figures given below were obtained through the courtesy of Mrs. Anna Wilcox, director of the continuation classes for department store employees which have been established by the Board of Education in Brooklyn and New York. Further information in regard to these classes is given in the body of the report on pages 1373, 1375.

STORE No. 1

| MEMBERSHIP | Organized | Closed | Promotions | Increased wage |
|------------|---------------|------------|--------------|----------------|
| 15..... | October, 1913 | June, 1914 | " Majority " | 15 |

STORE No. 2

| | | | | |
|---------|----------------|------------|--|--|
| 18..... | February, 1914 | June, 1914 | 9 with consequent increase in wage, three of nine being increased twice. | |
|---------|----------------|------------|--|--|

STORE No. 3

Not reported..... | April 15, 1914 | June, 1914 | 5 with consequent increase.

Mrs. Lucinda W. Prince, Director of the Union School of Salesmanship, Boston, has very kindly contributed the following figures in regard to the work which the Women's Educational and Industrial Union began in 1905.

REPORT OF INVESTIGATION OF BUSINESS STATUS OF GRADUATES

UNION SCHOOL OF SALESMANSHIP, DECEMBER, 1912

| | |
|--|-------------|
| Number of graduates interviewed | 195 |
| Number of wage increased since December, 1911..... | 145 |
| Range of wage increase..... | \$0.50-\$14 |

NOTE.—In 26 cases in which there has been a change from a flat rate to a commission basis or vice versa, it is impracticable to determine the exact rate of increase, but conservative estimates have been made in all cases involving commission.

[1397]

TABLE SHOWING NUMBER OF PERSONS RECEIVING SPECIFIC WAGE INCREASES BETWEEN DECEMBER, 1911, AND DECEMBER, 1912

| | |
|--------------------------------------|--------|
| 7 persons received increase of..... | \$0 50 |
| 68 persons received increase of..... | 1 00 |
| 4 persons received increase of..... | 1 50 |
| 34 persons received increase of..... | 2 00 |
| 3 persons received increase of..... | 2 50 |
| 18 persons received increase of..... | 3 00 |
| 1 person received increase of..... | 3 50 |
| 6 persons received increase of..... | 4 00 |
| 2 persons received increase of..... | 5 00 |
| 1 person received increase of..... | 6 00 |
| 1 person received increase of..... | 14 00 |

TABLE WAGE INCREASE BY STORES

| STORE | Number of graduates employed | Number wage increases December, 1911-December, 1912 | Number executive positions |
|--------------------|------------------------------|---|----------------------------|
| Store No. 1..... | 54 | 46 | 4 |
| Store No. 2..... | 45 | 30 | 1 |
| Store No. 3..... | 24 | 19 | 0 |
| Store No. 4..... | 21 | 15 | 6 |
| Store No. 5..... | 18 | 11 | 2 |
| Miscellaneous..... | 33 | 34 | 2 |

EXECUTIVE POSITIONS HELD BY GRADUATES

| Position | Wage |
|---|--|
| 6 heads of stock..... | 1 at \$7 00 2 at 9 00 1 at 10 00 2 at 12 00 |
| 4 assistant buyers..... | 3 at 9 00 1 at 12 00 |
| 1 reference clerk..... | 11 00 |
| 1 shopper..... | 12 00 |
| 1 expense manager (estimates department percentages)..... | 15 00 |
| 1 floor manager..... | 25 00 |
| 1 instructor..... | 25 00 |

TABLE SHOWING WAGES OF GRADUATES WHO RECEIVED NO INCREASE DECEMBER, 1911-DECEMBER, 1912

| | |
|-----------------|--------------------------|
| 6 persons..... | \$6 00 |
| 7 persons..... | 6 00 and 1% on all sales |
| 2 persons..... | 7 00 and 1% on all sales |
| 11 persons..... | 7 00 |
| 11 persons..... | 8 00 |
| 4 persons..... | 9 00 |
| 1 person..... | 10 00 and commission |
| 1 person..... | 10 00 |
| 2 persons..... | 12 00 |
| 1 person..... | 25 00 |

SUGGESTIONS CONCERNING TRAINING

1. Utilizing Existing Resources

There already exists various resources from which material can be drawn for the training of department store employees and which might well be utilized in connection with any scheme of training. The sources of this material are:

(1) Within the store itself. Without doubt there is available in every department of the store a certain body of the most accurate technical knowledge in regard to the stock or business of that department. The sum total of this represents the mass of knowledge necessary for the efficiency of the business. It would be highly improbable that any independent school organization could secure the service of so many highly paid experts. That this knowledge is more or less accessible is proved by the fact that there are certain exceptional employees who have acquired whatever was necessary for their own promotion. One of the first considerations in formulating any scheme of vocational training would be a method by which this information might be applied to the needs of those employees who would never secure it through their own unassisted efforts.

(2) Within the contributing industries outside the store itself. Manufacturers and importing houses offer additional sources of knowledge in regard to the merchandise. While a salesman in the shoe department, for instance, is not called upon to describe the making of a shoe to a customer, he could doubtless make a more intelligent sale if he knew how certain parts of the shoe were put together.

(3) Other agencies in the community. In the new conception of service which has come to many of our public institutions it does not appear that there is any reason why public agencies supported by tax should not be called upon for any purpose of instruction which they are better fitted to give than are the public schools. This would only be feasible within the limits which would not interfere with their normal functions. A traffic policeman would be exceptionally well qualified to instruct a class of drivers and chauffeurs in the rules of the road. A further development of this idea is contained in the following pages where a series of unit courses are outlined showing how it might be pos-

sible to secure co-operation from the public library in instructing salespeople from the book department.

(4) Trade journals and other technical publications. Trade journals, such as the "Department Store," "The Dry Goods Economist," "Publishers Weekly," "U. S. Catalogue of Books," current magazines and the newspapers make excellent textbooks for this kind of instruction. Not only are they desirable for the purpose of instruction but the pupil should be taught their use as a source of further knowledge.

The following unit courses are offered as a further development of the suggestion that it might be possible to secure the co-operation of the public library in training book sellers. (Page —, section 3.) This series of lessons is not offered in the expectation that it be taken in toto for the salespeople in the book departments of all stores; but that a selection will be made from the information offered.

BOOK COURSE

LESSON 1.

Book course.

Why some books are asked for.

(a) Permanent demand for some books due to:

1. Authority of author.
2. Charm of style.

(b) Current demand for some books due to:

1. Popularity of author due to:
 - Merit.
 - Advertising.
2. Interest in subject due to:
 - Current events.
 - Season.
 - Fashion, fad, "rhythm of interest."

Practical work in listing subjects of permanent interest and of passing interest, books of authors, local events and national events which might effect demand for books, etc.

LESSON 2.

Book course (continued).

Standard English authors, chronologically under subjects:

Historians.
Poets and dramatists.
Novelists.
Essay writers.

LESSON 3.

Standard American authors.
(Same as above.)

LESSON 4.

Contemporary writers.
Principal lines of current interest.
Drama.
Eugenics.
Panama canal, etc.

PUBLISHERS AND EDITORS

LESSON 1.

(a) Development of book industry.

1. Historical summary.

Mechanical developments have led to quantity of output and wide distribution.
Increase in number of publishers and books, also exact information about books.

Advertising.

2. Author, publisher, printer, bookdealer.

Functions.

Relations.

With each other.

With public.

LESSON 2. PUBLISHERS.

(b) Publishers.

1. Output.

New books.

(Old books reissued.)

2. Reputation and specialties.

Reasons.

Advantages (or results).

3. Principal publishers and what each stands for in range of subjects, quality.

LESSON 3.

(d) Editions.

1. General explanation of method and reason.
2. Varieties.
 - First — special value.
 - Second, third, etc.
 - Limited.
 - Revised.
 - Authorized.
 - Complete.
 - de Luxe.
 - Extra — illustrated, etc.

LESSON 4.

(f) Trade lists.

1. Publishers' weekly.
2. Cumulative book index.
3. U. S. catalogue of books in print January 1, 1912.
4. English reference catalogue.
5. Trade list annual.
 - (Scope and use of each with practice work.)

EVALUATION OF BOOKS

LESSON 1.

- (a) Purpose.
- (b) Methods.

Ideal — reading, comparison, etc.
Practical.

1. Reviews — purposes and points of reviews.
 - Considered reviews — scope and use.
 - Current reviews — characteristics and value.
 - Local papers.
 - New York Times.
 - Nation.
 - Bookman.
 - Etc.

LESSON 2.

2. Examination of books.

What points to get from each part of books.

1 cover.

2 —

3 — etc.

Practice work, reviews and examination of unfamiliar books.

CHILDREN'S BOOKS

Importance of giving children books that are good both in substance and in form.

LESSON 1.

- (a) Old stories retold — a question of editions, especially fairy stories and standard things.

1. Subject matter.

Different versions, simplifications, abridgements, extracts.

2. Make-up, illustrations.

3. Price, especially cheap editions that are good.

LESSON 2.

- (b) Information books — various series for juveniles.

History.

Biography.

Geography.

Useful arts.

- (c) Fiction.

Standard.

Favorite.

Series.

- (d) Poetry.

- (e) Picture books.

MISCELLANEOUS

OF VALUE IN SPECIAL INSTANCES

LESSON 1.

Periodicals.

- Use of Ayre's newspaper directory.
- Use of Severance's Guide to Periodicals.
- Method of placing subscriptions.
- Method of clubbing subscriptions.
- Indexes, volume, numbering, etc.

LESSON 2.

Second-hand books and auction sales; checking lists, advertising, etc.

LESSON 3.

Foreign books, including English, importing.

SUGGESTED UNIT COURSES FOR EMPLOYEES IN THE SHOE DEPARTMENT

LESSON 1.

- Taking off customer's shoes, unbuttoning and unlacing, pulling out stocking.
- Putting on shoes, use of shoe-horn, buttoning and lacing, tying laces and ribbons.

LESSON 2.

- The make-up of the shoe:
- Counter, vamp, lining, etc.
- Sewed shoes and turned shoes.
- The line of the shoe, such points as the fact that taking off lifts or adding lifts to the heel of the shoe will throw the shoe out of line and eventually spoil its shape.

LESSON 3.

- Leathers and characteristics of each, wearing qualities, etc.:
- Kid, calf, patent leather, suede, buckskin, also canvas and velvet as shoe material.

LESSON 4.

- Cuts and styles:
- Cuban, French and military heels.
- Long and short vamps, box toes, straight lasts, etc.

LESSONS 5 and 6.

Fitting normal and abnormal feet.

Special points such as high insteps, bunions, tender feet, flat arches.

Kind of shoe a particular foot can wear to best advantage.

Special lesson for those selling rubbers, as for instance kind of rubbers required to fit over certain shoes.

Special lesson for slipper saleswomen, lesson in color to assist her in matching slippers to evening gowns, etc.

Special lesson on children's shoes might be given to stock girls, as they are often given a chance to acquire experience by selling children's goods on Friday and Saturday afternoons.

**REPORT ON THE
WAGE VALUE OF VOCATIONAL TRAINING**

By **WESLEY A. O'LEARY**

Assistant Secretary, National Society for Promotion of Industrial Education

[1407]

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FOREWORD

1. PURPOSE AND SCOPE OF THE REPORT

This investigation was undertaken for the purpose of finding an answer to the question: Does vocational training increase the earning capacity of the wage worker?

The term vocational training as here used means specialized training which aims to fit for useful employment, and this study is restricted to that specific field of vocational training which aims to meet the needs of the manual wage worker in productive industry such as the machinist, the carpenter, the dressmaker and the power machine operator. It is, therefore, not concerned with the value of general education nor is it primarily concerned with the value of schooling which aims to train industrial executives or technical experts. This eliminates from consideration the general high school and the engineering college, and narrows the field to schools of secondary grade dealing with the vocational training of young people between the ages of fourteen and twenty-one. Certain data from intermediate technical schools, like Pratt Institute, have also been included, as these schools are to be classed as high grade trade schools rather than engineering or technical colleges.

By earning capacity is meant the price at which the workman is able to sell his labor to industry. As the unit of measurement, in most cases, the average weekly wage has been taken. Owing to the variation in such factors as the length of the working day, seasonal employment and the amount of unemployment, the weekly wage is not in every case the most accurate index of earning capacity. It has been taken as the unit in this study because in many instances it was the only wage that could be obtained.

It is recognized that there are other tests of the value of vocational training besides that of earning capacity. The saving of young people from "dead end" and "blind alley" occupations, the protection of the worker against non-employment, the guidance of youth into lines of work for which they are best fitted, as well as the development of a better industrial life and a more efficient citizenship are all a part of the task of the vocational school.

The full value of vocational education can be measured only by examining results in the light of each of these aims. This investigation, however, is limited to the single question of the wage value of vocational training and makes no attempt to determine its value in any other terms.

2. SOURCES OF DATA AND METHOD OF INVESTIGATION

An extended inquiry has not been possible owing to the limited resources available. An effort has been made to bring together the information on this subject already to hand, evaluate it, and gather from the field such additional data as could readily be obtained. To do this the following methods were adopted: (a) Requests were made, either by personal visits or by letters, of twenty-five vocational schools in various parts of the United States for information concerning the trade records of graduates. Of this number twenty responded and fourteen gave information of the kind requested.

(b) Letters were sent to twenty corporation schools asking for similar information. Most of these schools replied. Only seven were able to supply any data bearing upon the question of wage and in every case this information was slight.

(c) Inquiry was made, either by personal visits or by letters, of forty firms known to be interested in vocational training, as to how far in the conduct of their business, such training was recognized in terms of an increased wage. The meager information procured from this source was of but little value as an answer to the question under investigation. Statements were received in sufficient number from employers in regard to the value of training in specific instances to justify the opinion that the lack of data is due to the absence of records rather than to the failure of vocational training to show results.

(d) A careful search was made without result, in the educational literature of Germany, as well as other sources, for material which should show a correlation between wage and vocational training in the German industrial schools.*

(e) The catalogues and records of various vocational schools as well as the report of the Commission on National Aid to Voca-

* Two well known educators who have made special search in Germany for such information write that they have never been able to find any.

tional Education, a "Report on Vocational Opportunities for Girls in Philadelphia" by Cleo Murtland, and the transactions of the American Society of Mechanical Engineers have been freely drawn upon for material.

(f) Wage statistics of 250 men in the sheet metal and the machinists trades were collected from the field. These men had taken trade training in various evening vocational schools after entering their trades and their wage was obtained both before and after training.

3. LIMITATIONS OF THESE DATA

The data given in this report do not pretend to measure in exact terms the wage value of vocational education. If such measure is possible it can be arrived at only by a study of two groups of workers; the one trained in the industry and the other in the vocational school. It would be necessary to select for the investigation groups that start on the period of training with essentially an equal amount of general schooling and the same mental and physical development. Both groups must be employed in similar lines of work within the same trade and both must work under practically the same industrial conditions. In order to take into account the promotional capacity assumed to be due to vocational training, and the consequent effect upon earning capacity, it would be necessary to study the records of these groups over a period of at least fifteen or twenty years.

In obtaining and evaluating the data thus secured, consideration of the effect upon wage would need to be given such questions as the following: The supply and demand of labor; general industrial depression; variation of wage due to geographical location; the effect upon wage of the efforts of organized labor; the variation as to the age at which, in different localities, the young workman is admitted to union membership; the health of the wage earner; industrial accidents; native ingenuity, resourcefulness and initiative; the personal equation as between the worker and the foreman; and the ability of the tradesman to sell his labor to the best advantage. All of these questions, as well as others, are factors affecting wage, promotion and employment. All of them are subject to more or less variation and some of them appear to be indeterminate.

There is also the factor of selection. The graduate of the trade school as compared with the mechanic who has not received such training is a selected man. Most trade schools for boys do not admit pupils until they are sixteen years of age. This makes the minimum age of graduation nineteen years, and defers for five years the period at which the boy may become a wage earner. It requires a certain degree of economic independence as well as foresight and character on the part of both the boy and his family, to keep him in school until that age, for at this period he is in the adolescent stage and the desire to realize on his ability to earn money is strong. The fact that he does remain at school indicates that he is a selected boy.

The trade school, moreover, sets up certain examinations and tests for admission and promotion, that serve to eliminate the incompetent, whereas, the industry usually makes no requirement for entrance other than age. Where the school does not make an entrance requirement, it eliminates the unfit through a trying-out process which extends throughout the entire course and which is often more severe than that of the industry. This is evidenced by the fact that pupils rejected by the school not infrequently find employment in some branch of the trade and meet with a fair measure of success. On the other hand it should be said that, under present conditions, public vocational schools are often obliged to accept and retain on their rolls pupils who are not fitted for trade work and who would not be kept in any well managed shop. In any case the extent to which the success of the graduate of the vocational school is due to careful selection and guidance and the extent to which it is due to training is difficult, if not impossible, to determine.

How far industry recognizes an increase in the productive power of the laborer by a corresponding increase in wage is another factor that influences any expression of earnings as a product of training. Some employers accept the principle that the workman has, in a sense, an equity in what he produces and that the additional wealth which, because of training, he may be able to create belongs in part to the man who produces it. Others do not. It by no means follows that increased productive capacity always means increased earning power. To measure in

exact terms the wage value of training would also require an evaluation of this factor.

Among other results of vocational training that are directly related to earning power are those mentioned on page 2, such as the vocational guidance of youth, the development of promotional capacity, and the reduction of unemployment. In a study of this kind these questions arise: How far do these results influence wage? Can they be assigned limits of variation or a percentage of error?

It may well be that in no case can the effect upon wage of any of the factors discussed above be accurately determined. How far any of them enter into the data presented in this report it has been impossible to ascertain.

The figures contained in this report, as regards the whole field, are neither comprehensive nor complete. Industrial education is a development of less than ten years growth. Fewer than half a dozen trade schools in the whole United States have been in existence that length of time. The oldest system in any state in the country has been in operation only about five years. Most vocational schools have hardly had time to learn what their problem is, to say nothing of developing a successful system of training. For these reasons few schools have records covering a period sufficiently long to fully demonstrate the worth of their work. The amount of such data at present obtainable is therefore slight.

In view of the reasons discussed above, it cannot be claimed that the data presented in this report prove beyond question, the wage value of vocational training. At best, they are of significance only so far as they clearly indicate tendencies.

4. GROUPS INCLUDED IN THIS INVESTIGATION

For the purpose of this report, the persons with whom the vocational school is concerned may be divided into three groups: (1) Young people who have not yet entered industry but who are seeking admission through the training of the vocational school. They may be called the trade preparatory group. (2) Adult workers who are engaged in low grade employment and who desire training for more highly skilled occupations. They may

be called the trade changing group. (3) Skilled workers who wish additional training along the line of their trade as the next step forward to greater efficiency. They may be termed the trade extension group.

Any attempt to evaluate the instruction given by the vocational school requires a consideration of the effect of training upon wage in the case of each of these groups.

CONCLUSIONS

This report presents, in brief, the following conclusions:

(1) It appears to be doubtful whether the money value of vocational training can be definitely stated.

(2) Tendencies can undoubtedly be established in special instances and in the case of special groups.

(3) The data submitted in this report appear to indicate the following tendencies:

(a) A tendency on the part of the day schools included in this investigation to place the graduate of the school in the industry at a higher initial wage than he could obtain without school training. How much higher cannot with exactness be determined.

(b) A tendency showing that these schools can materially increase the earning power of the young worker by saving him from "blind alley" occupations.

(c) A tendency on the part of employers to pay graduates of certain trade schools on entrance to the industry approximately journeyman's wages.

(d) A tendency which indicates the ability of a certain type of trade school to increase the wage of the worker by advancing him from low grade employments to those requiring greater skill.

(e) A tendency in the case of evening schools giving trade extension courses to slightly increase the earning power of experienced tradesmen.

(5) In no case does the evidence of this report conclusively demonstrate that the above mentioned tendencies are general. Nor does it prove that they are not. These tendencies taken together indicate a capacity on the part of vocational schools to advance the wage of the trained worker.

I

THE TRADE PREPARATORY GROUP

This group consists of young people between the ages of fourteen and nineteen, or thereabouts. They leave the elementary school in large numbers at fourteen years of age, passing at once into the child-employing industries at an initial wage of from three to five dollars a week. Here they drift about with no guidance and little or no opportunity to learn a trade, and at maturity find themselves in the ranks of the unskilled with little hope of advancement.

A limited number are able at sixteen to gain entrance, as helpers, to the skilled trades. They pick up their trade as best they can and in the majority of cases reach their maximum earning capacity at an early age.

In a report on the "Needs and Possibilities of Part Time Education" made in 1913 by the Massachusetts State Board of Education, it is estimated that there were in Massachusetts, in addition to the 40,000 young people between the ages of fourteen and seventeen, who were regularly employed, 35,000 boys and girls of these ages who were not in school and who were employed either intermittently or not at all. That is to say, 46 per cent. of these 75,000 children between fourteen and seventeen were neither in school nor regularly at work. Assuming that the same conditions are true in the State of New York, and it is hardly probable that the percentage is any smaller, there would be throughout the State approximately 100,000 young people between fourteen and seventeen years of age who are neither in school nor regularly at work. To prepare these young people for industry and guide them into occupations for which they are fitted is the task of the vocational school.

Two general types of day vocational schools for boys have developed in the discharge of this task:* (a) The school which receives the boy at fourteen and gives him from two to three years' training, and (b) the school which will not receive the boy until he is sixteen years of age and which usually maintains a course three years in length.

* This is a purely arbitrary classification made for the purpose of this report. Vocational schools for girls are considered apart from schools for boys.

The first type in some communities is called a "vocational" school and in others an "industrial" school. It might well be called a "trade preparatory" school. The length of the course and the age of admission to this school is determined by the fact that most skilled trades will not accept a boy until he is at least sixteen years of age. The purpose of the school is to aid the boy in the choice of an occupation and to give him such preliminary preparation as shall enable him to make advantageous entrance into his trade. Such a school does not expect to take the place of an apprenticeship, nor does it attempt to develop in the pupil a high degree of promotional capacity. It does aim, however, to reduce the period of full apprenticeship.

The second type of school is known as the trade school. It usually aims to take the place of apprenticeship and to send out its graduates as full fledged journeymen. It also expects to develop, in a much greater degree than the first type, capacity for promotion to extra skilled positions and foremanships.

The wage value of the training given in these two types of schools is best understood from the standpoint of the aim of the school. In considering this question, therefore, the two types will be taken up separately and the second will be discussed first. Apprenticeship schools and vocational schools for girls will be considered apart from these two types.

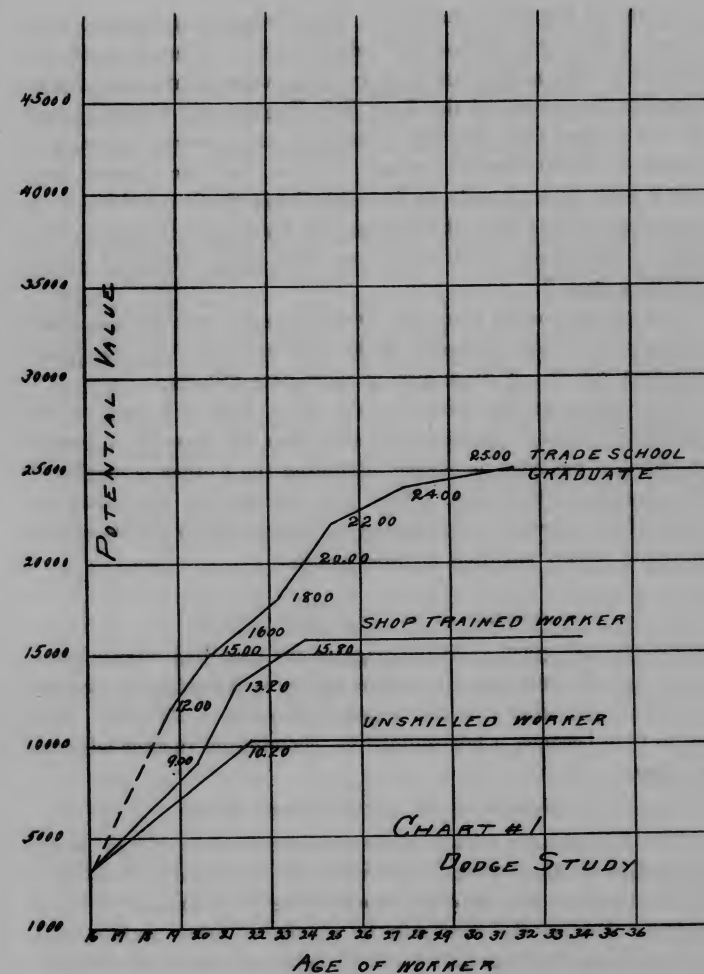
1. THE TRADE SCHOOL

This is the second type of school discussed above. The data for the schools included in this class were taken from an article published in 1903 by Mr. James M. Dodge, at that time president of the Link Belt Engineering Company, and of the American Society of Mechanical Engineers;* and from information contributed by four well known public trade schools. These data include the machinist's trade, pattern maker's trade, and certain cases in which the earnings in several industries are combined.

A. MACHINIST'S TRADE

1. *Mr. Dodge's Study.*— It has already been pointed out that any investigation of the effect of training upon wage should be based on a study of groups. In making this study no extensive

* Transactions of American Society of Mechanical Engineers, Vol. XXV.



data of the character described on pages five and six could be obtained in the field. In the article referred to above, however, the author made a comparative study of the wages of a group of trade school graduates, a group of shop-trained mechanics, and a group of unskilled workers.

As to the source of these data, Mr. Dodge, in a letter to Professor Person of Dartmouth College, says: "The data of my address on the money value of training were obtained by investigating the records of the Link Belt Engineering Company and of the Dodge Coal Storage Company, the records covering a period of about fourteen years. I then had the figures compared with such records as I could obtain from my friends in somewhat similar lines of business and, for fear of being in error, made a reduction of about 10 per cent. from what the actual statistics show."

The curves plotted from Mr. Dodge's study, with the exception of the curve of the graduates of the engineering college, are given in Chart No. 1. A discussion of these data follows:

The figures at the bottom of the chart gives the ages of the workers in years. Those on the side show the amount of money on which 5 per cent. is earned, assuming the worker is employed fifty weeks of the year. This Mr. Dodge calls the potential value of the worker. The figures at various points on the curves show the weekly earnings at those points.

Average of the Unskilled Group

No data are given as to the wage of the unskilled worker prior to the age of twenty-two. At that age he is receiving an average of \$10.20 per week and has a potential value of \$10,000. His graph then becomes a horizontal line, showing no further advance in wage.

Average of the Shop-Trained Group

The shop-trained worker starts at sixteen years of age as an apprentice at \$3 a week. At twenty he is earning an average of \$9 a week, this amount representing a potential value of \$9,000. During the next year he progresses more rapidly, and at twenty-one and one-half years of age has increased his earning capacity to \$13.20 a week, having advanced his potential value by \$4,200. He continues to rise until at twenty-four he is receiving \$15.80 a week. The average shop-trained mechanic has now reached a point approximately 52 per cent. in advance of the average wage attained by the unskilled worker. From this point the graph strikes a horizontal and runs parallel to that of the unskilled man.

According to Mr. Dodge's figures approximately 5 per cent. of the machinists in the plants included in his investigation rise above this line; 35 per cent. follow the line closely; 20 per cent. leave the firm of their own accord and go to other shops; and 40 per cent. are dismissed and never rise above the line.

Average of the Trade School Group

The trade school graduate in Mr. Dodge's study does not enter the industry until he is nineteen. On entrance he commands \$12 a week, which is equivalent to the wage of the shop-trained apprentice at twenty-one. His trade school training has increased his potential value from \$3,000 at sixteen to \$12,000 at nineteen, an increase of \$9,000 in three years. He now follows a line which diverges from that of the shop-trained apprentice. When the shop-trained man has reached \$15.80 a week the trade school trained man is earning approximately \$20. He continues to advance rapidly until at twenty-five he is receiving \$22 a week. From this point on the rise is less rapid, but continues, until at thirty-two he has an earning capacity of \$25 a week and a potential value of \$25,000. At this age he is earning approximately 145 per cent. more than the unskilled man and about 58 per cent. more than the shop-trained man, and his curve, while tending towards the horizontal, is still rising.

Significance of Mr. Dodge's Figures

This report is not prepared to accept without question Mr. Dodge's figures as conclusive for trade schools in general and for the whole field of the machinist's trade. So far as the records from the two plants investigated are concerned they are doubtless accurate. The data of other schools, moreover, appear to confirm in part these figures. (See Chart No. 2.) There still remains to be evaluated, however, certain personal and industrial factors to which reference has already been made. To what extent Mr. Dodge was able to eliminate or evaluate any of these factors does not appear.

Leaving out of consideration the limited number of plants investigated, before attaching general significance to the figures, other questions such as these need to be answered: How far were

the particular shops investigated typical of the machine trade in general? How many trade schools were represented in the investigation? How many individual cases? To what extent were these schools typical in such matters as methods of admitting pupils, requirements for admission, efficiency of training? What factors of selection entered into the study and how were they evaluated?

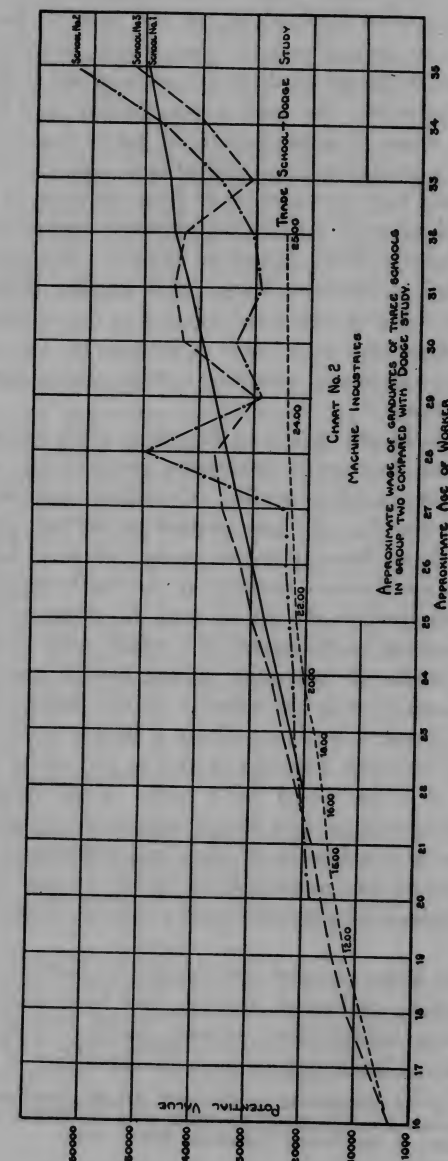
While Mr. Dodge's figures are not to be taken as a conclusive demonstration, universally applicable, it is believed that, in the case of the two plants investigated, these data clearly show the trade schools in question to be by far the best source from which to draw mechanics. They also indicate a tendency on the part of the particular schools studied, to offer better preparation for machine shop work than can be obtained in most shops. Further than this, for the purpose of this report, it is unsafe to go.

2. *Data from Various Trade Schools.*—Data as to the wages of men trained in the trade school for machine shop work were also received from three such schools. These figures, together with Mr. Dodge's curve for trade school men, are plotted on Chart No. 2.* These schools vary somewhat as to the age of receiving pupils, and in certain other details. But for the purpose of this discussion they may all be placed in the trade school class.

The numbers at the bottom of the chart and those on the side, as in Chart No. 1, indicate respectively, age and potential value. Data were not obtainable in the case of curve No. 2 earlier than twenty years, nor in the case of curve No. 1 earlier than twenty-two years, this being in each case the average age of graduation.

These curves will not be discussed in detail. It is sufficient to note one or two characteristics. Each of these three graphs shows a higher wage for any given age than does Mr. Dodge's curve. Had Mr. Dodge retained the 10 per cent. by which he reduced his data, possibly the "fair" curves of these four graphs would practically coincide, thus confirming Mr. Dodge's figures for the trade school.

* The questions raised above apply also to these data.



A general upward slope along the last half of the curve is noticeable in the case of each of these schools, showing that the wage, even at thirty-five or thirty-six years of age is still on the increase. Apparently the peak is not reached until some time later. This seems to indicate that the school has not only developed in its graduates large promotional capacity, but that it has also pushed back by a number of years the point at which the school trained mechanic reaches his maximum earning capacity.

3. *The Beverly, Mass., Industrial School.*—The part time industrial school of Beverly, Mass., offers another illustration of the economic value of vocational training in the machinist trade. Strictly speaking, this school falls in between the two types mentioned above. It closely resembles a trade school, however, and is so classed here.

* "This school was opened on August 2, 1909, for the instruction of youths, fourteen to twenty-one years of age, in the machinists or other industrial trades. Candidates must be physically fit for factory work, must have entered the seventh grade in the public schools or done equivalent work, and must have such a character as would assure retention in the regular schools.

"Boys admitted to the school work in alternate weeks in a factory, receiving in the course of a school year of fifty weeks, twenty-five weeks of instruction in the factory and twenty-five weeks of instruction in the school. In the factory fifty hours, in the school thirty hours constitute a week's work. The boys are divided into two divisions, a and b, and while a is in the factory, b is in the school for a week. Each division has an instructor who remains with his division in the school and in the factory 'as a co-ordinator of shop and schoolroom work.' A school instructor who remains at the factory 'comes into teaching contact with both divisions, and he is a valuable factor in unifying the work.'"

"No text books are used, the schoolroom instruction in arithmetic, English, mechanical drawing, free hand sketching, geometry, algebra, trigonometry, science, machine study and other branches, being based entirely upon the experience in the factory.

* Report of the Commission on National Aid to Vocational Education. The data contained in this report are taken from the Fourth Annual Report of the Trustees of the Beverly Industrial School, 1912.

Common screw threads, spiral gears, machinists' practice, and angles on blue prints for example, provide the material basis for instruction in algebra, geometry and trigonometry.

"Topics are taught only as they can be assimilated and grow out of the daily experience.

"In the factory actual shop conditions prevail. The boys are at work on commercial products which must pass the factory inspector precisely as must the product of other workmen. It is the boast of the school that there is no simulation of the factory, no work given out simply as an exercise. On the contrary, the boys are wage earners in the shops of the United Shoe Machinery Company and the work is that of building shoe machinery.

"The term of instruction under this part time organization is not definitely fixed, but occupies approximately three years. When the boy has become proficient in the trade, he is promoted to full time in the factory. As a full time factory operative, however, he remains for a period which may be counted as equivalent to a fourth year in the course, under the direction of the school and may at any time be put back on half time.

"What are the immediate and tangible economic results of this training?

"The average wage earning power of the boy who comes to the school is \$6 per week. The wages earned by the first class of students in the school to be graduated to full time in the factory — earned, that is to say, by full time students who were on the school roll and subject to school authority — averaged \$15.65 per week, the wage earned by individual boys ranging from \$15 to \$18 per week.

"In 120 weeks of shop work, under school directions, the boys increased their average earning power in competition with other workmen and under actual factory conditions, by more than 250 per cent. and were, in fact, earning at the close of the period wages at the rate of \$800 a year.

"Of these first graduates, the director observed that 'Had it been possible for them to remain in the grade schools they would not yet have graduated from the high school.' And it may be submitted that not only the economic value of the education received by these boys, but also the cultural value, measured in

terms of ability to live useful and happy lives as citizens of a democracy, is greater than that which would have been conferred upon them by the conventional high school course. They have been given a cultural interest in and comprehension of their bread winning occupation.

"The Beverly Industrial School has achieved an ideal of vocational education, in that it has projected the school into the factory and has in the true sense of the word graduated the boy into his life work, fully equipped and trained for productive labor. The boy has been graduated, not ejected from the school.

"Under this system, the boy is not abandoned by the school at precisely that period, when he must face the most difficult and serious problem of his life, that of choosing and learning a vocation and of establishing himself as a productive laborer."

B. PATTERN MAKING

Milwaukee School of Trades

The Milwaukee School of Trades recently made a study of the earning capacity of all its pattern making graduates down to March, 1913.

This school is a part of the regular public school system of Milwaukee. Applicants for admission must be sixteen years of age and must be able to read and write English and do simple problems in arithmetic. The course in pattern making is two years in length, about eight hours a week being given to theoretical instruction and thirty-six hours to practical work. The reading of blueprints and working drawings form an important part of the course.

The group studied included twenty-five graduates of the trade school whose wages were compared with the wages of apprentices who, presumably, had received no special training other than that obtained in the industry. The study includes the period from February 26, 1909, to March 19, 1913. The results of this study follow:

* "Average rate of first wages earned by trade school graduates, \$0.237 per hour.

* From report submitted by Mr. Charles I. Perry, Supervisor of Industrial Education for Milwaukee.

"Average rate of wages of all pattern making graduates of the school to date, \$0.335 per hour.

"Average rate of wages of all pattern making graduates at the end of average of two years, \$0.286 per hour."

The Milwaukee Metal Trade Association's official rate of wages as applied to pattern making apprentices is as follows:

| | |
|----------------------------------|-----------------|
| First year | \$0.10 per hour |
| Second year | .11 per hour |
| Third year | .125 per hour |
| Fourth year | .15 per hour |
| Average rate for four years..... | .12125 per hour |

Total hours required from commercial apprentice, Milwaukee Metal Trade Association, 11,000 hours.

Total pay received in commercial apprenticeship ($11,000 \times .12125 = \$1,333.75$), \$1,333.75.

Bonus allowed at completion of apprenticeship, \$100.

Total earnings of apprentice for full period of apprenticeship, \$1,433.75.

Trade school graduate starting to earn at eighteen years of age, two years' work, 52 weeks per year, 55 hours per week at \$0.286 per hour, \$1,635.92.

The trade school graduate at 20 years of age has earned \$1,635.92.

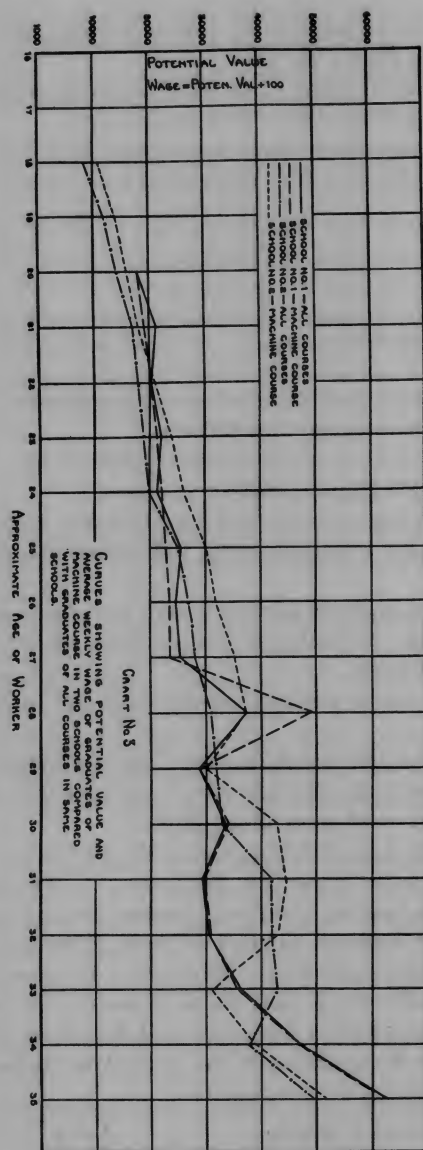
* Commercial graduate at 20 years of age has earned, \$1,433.75.

Excess of earnings of trade school graduates over commercial graduates, each at 20 years of age, \$202.17.

This amount is equivalent to a gain of 14.1 per cent.

In a letter to the writer Mr. Perry says: "We made the test in the pattern making trade only because the graduates in this trade have not scattered as much as those of the machinist, carpentry and plumbing trades. While we easily prove the advantage of the well-trained trade school graduate over the commercially trained apprentice, I am convinced that if we follow up the experiences of the graduates of the other three trades, we would find even a greater advantage gained."

*Apprentice trained in industry.



C. COMBINED WAGE FOR VARIOUS OCCUPATIONS

Information was obtained from two well-known trade schools as to the earning capacity of all graduates of each of these schools over a period of 17 years. These men are engaged in such occupations as that of draftsman, estimator, carpenter, machinist, mason, steam engineer, electrician, and teacher of trade subjects. A small per cent. are professional men and a limited number are engaged in business. Unusually large salaries, obviously not due to training, have in most cases not been included. The earnings were given by classes and not by occupation.

Chart No. 3 was plotted from these data. A comparison of these curves with those of Chart No. 2 will show that the two sets exhibit the same general characteristics indicating that in these two cases so far as vocational school training is concerned, tendencies found to be true of the machinists' trade are probably also true of the other occupations referred to above.

2. "TRADE PREPARATORY" SCHOOLS

This is the first type of school mentioned at an earlier point. Most schools of this type have not been in operation long enough to have comprehensive data concerning the earnings of their graduates. Information from two schools of this class, however, are included in this report.

(a) *New York Vocational School for Boys*

This school accepts boys fourteen years of age (or, in the case of grammar school graduates, younger than fourteen), and gives two years of preparatory trade training. No attempt is made to train journeymen. The school has been in operation about five years. Its aim is to guide the boy into the line of work for which he is best fitted, and give him sufficient preparation so that he may be able to make advantageous entrance into his chosen trade.

The success of the school in accomplishing this aim is in some measure indicated by the following data, showing the average

weekly wage of non-graduates as compared with that of graduates. These figures were taken from the report of the principal for the school year 1911 and 1912. They include all graduates who have been in the industry six months or more. The majority of the non-graduates included in this list are in the same trades as the graduates.

| TRADE | Average wage of graduate | Average wage of non-graduate |
|--|--------------------------|------------------------------|
| Architectural and mechanical drawing.... | \$9 50-\$11 50 | \$6 50 |
| Carpentry..... | 6 00- 11 25 | 4 74 |
| Machine shop..... | 7 50- 13 13 | 4 73-\$6 18 |
| Electric wiring..... | 8 40- 12 94 | 5 90- 7 25 |

(b) *Rochester Shop School*

This is also a school of the first type, organized four years ago. Boys are admitted at fourteen years of age and courses are offered in cabinet making, carpentry, electrical work, plumbing, printing, machine shop practice, gas engineering, and drafting.

The report of the Board of Education of the city of Rochester for 1913 (page 9) gives a list of the positions secured by 696 boys who left the grammar school at the ages of 14 to 16. The average weekly wage of these boys was found to be \$4.89, and investigation showed that they changed their job every seventeen weeks. Less than 5 per cent. of them were in skilled occupations, the greater number being employed in factories and in such occupations as bundle boys, messengers, elevator boys and drivers.

Vocational records of the Board of Education give the position, wage and length of service of thirty-six other boys who have attended the Rochester Shop School. All but two of these boys are engaged in skilled occupations, and all but six are employed in work directly in line with the training they received in the vocational school.

In several instances, complete data as to wage are lacking, but the records show that the average length of attendance at the vocational school was 14.9 months, and the average initial wage on leaving school was approximately \$7.50 per week, an in-

crease of 55 per cent. over the initial wage of the untrained group mentioned above. The average length of service in one position at the time this information was secured, was 12.5 months as against 17 weeks for the first group, and the average wage at the end of that time was \$9.06, an average annual increase of \$76.90, as the result, in part, at least, of one year's schooling.

The gain in this case is not simply the higher initial wage and the increase at the end of the first year, but also the advantage that comes to the boy from being placed in the right trade at an early age with sufficient preparation to give him a start and prevent him from drifting from job to job. The benefit to the boy is not to be reckoned so much in terms of wage, however, as in the fact that he has probably been saved from the ranks of the unskilled and the idle.

3. APPRENTICESHIP SCHOOLS

As a part of this investigation, 20 corporations maintaining apprenticeship schools were asked for information in regard to the value of the training given in their schools as measured in terms of wage. Some of these schools have not been in operation long enough to have figures of any value. Others, while fully convinced of the value of school training, have made no attempt to reduce it to a percentage basis. Several of the replies received are quoted in part in Appendix C.

One large railroad corporation maintaining a very complete system of schools writes as follows: "We have ascertained that the efficiency of apprentices have increased 25 per cent, that is, on account of our system of instruction, they are able to accomplish that much more work than they could before we adopted our present apprentice system. We are, through the medium of our skilled shop instructors, able to use the apprentices on all classes of work while formerly they were engaged in the simpler classes of work, as well as on the simpler machines. Under our present system, however, we are able to use apprentices on any machine, even the most complicated. While we cannot measure this in percentage or even dollars and cents, it is a matter of

great convenience, especially is it so when a regular man operating some difficult and complicated machine, lays off a few days, and it is not economical to put another man in his place on account of not being familiar with the work of the machine; in lieu of which we place an apprentice on the machine and with the help of the instructor he is able to give a fair day's output. In this alone we can save fully 25 per cent.

"We have found also that our graduated apprentices' earning capacity has increased 18 per cent over and above those who did not have the advantage of our apprentice instruction. This fact is particularly emphasized by our shop foremen who greatly prefer having one of our apprentice graduates than to have a mechanic who has served an apprenticeship on other roads and who has not enjoyed the benefits of our present apprentice system.

"While all these percentages are not accumulative you can safely bank on about 25 per cent increase on efficiency in the boys, due to our method of training and educating them.

"Another great advantage I should mention, is that when our apprentices are graduates, they are capable of operating any machine or doing any class of work in the department in which they have served their apprenticeship. While this cannot always be measured in dollars and cents it is of immense benefit and value to the officers in charge of the shop as they always have young mechanics in the shop who can perform any class of work which may arise, and one man's leaving the service will not tie up a single machine nor cripple the service."

4. GIRLS' SCHOOLS

Vocational schools for the training of girls for the purpose of this report may be divided into two classes: (a) trade schools and (b) schools of home making. The first trains for such occupations as dressmaking, millinery, and power machine operating. The second class trains the girl for the care and management of the home.

In the case of home making schools, owing to the fact that women are not paid a wage in the home, no statistics as to the economic value of the training are obtainable.

Only a few trade schools for girls have yet been established. While these schools have generally kept accurate records of the earnings of their graduates, these records are not of much assistance in attempting to evaluate the training given. In the case of women's occupations, seasonal employments and the relatively short length of time most women remain in industry, are additional factors that tend to make very unsatisfactory any comparison of the wage of the trained with that of the untrained worker. The Manhattan Trade School for Girls, however, offers data of a slightly different character that has some significance for the purpose of this report.

A. THE MANHATTAN TRADE SCHOOL

This school offers instruction in clothing machine operating, embroidery machine operating, straw machine operating, dress-making, millinery, novelty case making, sample mounting, embroidery designing and perforating of embroidery patterns. Girls are admitted to the school if they have graduated from the grammar school or if they are fourteen years of age and have completed the elementary school requirements for securing an employment certificate. The length of the course is approximately one year but varies with the ability of the girl. No girl is recommended for placement until she has to her credit fourteen hours of instruction. The course of study includes the teaching of trade, and shop practice — to which about four-fifths of the entire time is given — the teaching of related subjects, and the teaching of subjects that have to do with personal help and self improvement.

"In the early days of the Manhattan Trade School for Girls, the oldest school of its type in the country, graduates were placed at the initial wage the individual employers felt disposed to give. The amount varied from \$3 a week for the younger girls to \$5 a week for older girls, the average being about \$3.50 per week. The last report of the school gives 82 per cent. beginning at \$5 per week as the lowest wage, and \$7 and \$9 for some of this number. Girls who leave the school without finishing their course, show 81 per cent beginning with less than \$5, the average being

* Taken from a report on Vocational Opportunities for Girls in Philadelphia by Cleo Murtland. The figures for this report were taken from the Fifteenth Annual Report of the City Superintendent of Schools of New York City, pp. 36, 37.

\$3.75, and some receiving as low as \$1 per week. The report also gives the following records of graduates after three years of employment in the trade for which they were trained.

Sixty-nine per cent. of girls from the dressmaking course receiving \$9 per week or above, some receiving as high as \$20.

Eighty-seven per cent. of girls from the operating course receiving \$9 per week or over, some receiving as high as \$30.

Seventy-four per cent. of girls from the millinery course receiving \$9 per week or above, some receiving as high as \$18.

Fifty-two per cent. of the girls from the pasting trade \$9 per week or above, some earning as high as \$16.

That employers are becoming increasingly ready to pay Manhattan trade school girls a higher initial wage and give them better opportunities for advancement, the following tables give evidence.

In 1911-1912 66 per cent. of the girls were placed at \$5; 13 per cent. at \$6; 2 per cent. at \$7 or above; 19 per cent. at less than \$5.

In 1912-1913 67 per cent. of the girls were placed at \$5; 20 per cent. at \$6; 6 per cent. at \$7 or above; 7 per cent. at less than \$5.

This shows in one year an increase of 1 per cent. in the \$5 group, 7 per cent. in the \$6 group, 4 per cent. in the group receiving \$7 or above, while the number receiving less than \$5 decreased by 12 per cent.

Girls placed in 1910-1911 show advancement in 1911-1912 as follows: 88 per cent. to \$6 and above; 41 per cent. to \$8 and above; 14 per cent. to \$10 and above.

The highest wage reached in any one week was \$18. Girls placed in 1911-1912 show advancement in 1912-1913 as follows: 94 per cent. to \$6 and above; 44 per cent. to \$8 and above; 16 per cent. to \$10 and above.

The highest wage reached in any one week was \$37.50. The increase in the number reaching \$6 and above was 6 per cent. in the \$8 group and above 3 per cent., and in the \$10 group and above 2 per cent., while the highest wage in 1912-1913 was more than double the highest wage in 1911-1912. These figures are small but they are significant as indicating a tendency on the part of the employer to recognize training for girls by an increased wage."

B. BOSTON TRADE SCHOOL FOR GIRLS

"Similar full reports for the Boston Trade School for Girls are not available at present, but the school has had practically the same history as the Manhattan Trade School. Graduates were placed in the early days at a wage from \$3.50 to \$4.50, or occasionally \$5; now no girl is placed at a wage lower than \$6, and many receive more, and the wages of graduates at work show a similar range from \$6 per week as a minimum to \$10 a week and up to \$20 a week frequently reported.

Increasing confidence on the part of employers and chances for advancement of graduates practically parallel the records of the Manhattan Trade School.

C. THE WORCESTER TRADE SCHOOL FOR GIRLS

Worcester, Massachusetts, a smaller city, offers in a sense a contrast. Industries are varied. The Worcester Girls Trade School, which at this date has only one class of graduates at work, though only three years old, shows the following record:

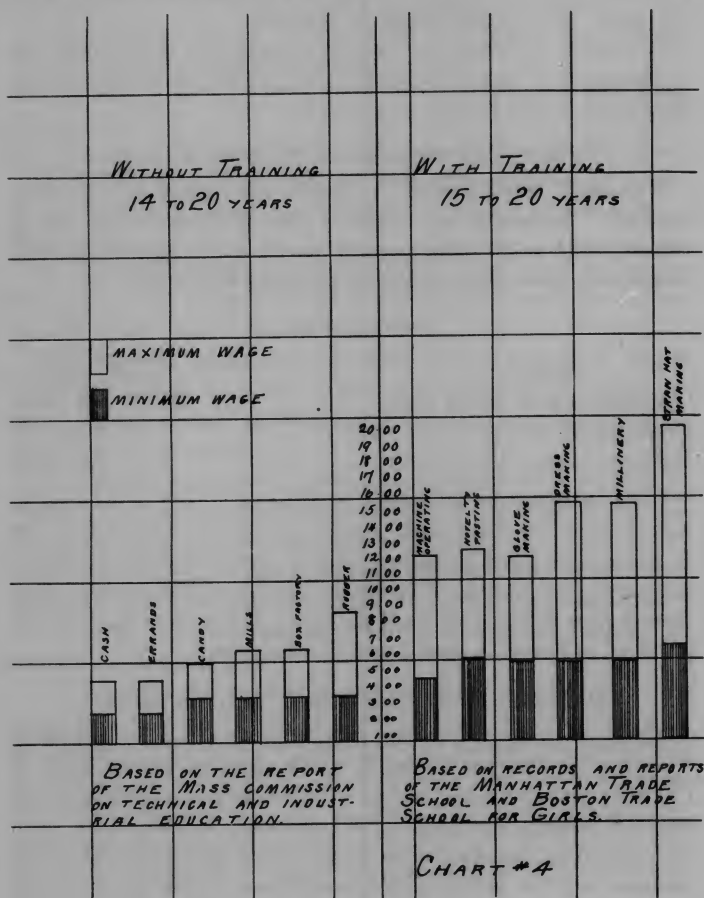
| INITIAL WAGE | |
|---------------------------------------|--------------------------------------|
| Graduates | Non-graduates (partially trained) |
| Operating course, \$6 per week..... | \$5.00 per week |
| Dressmaking course, \$5 per week..... | 4.00 per week |
| Millinery course, \$5 per week..... | 4.50 per week |

Girls entering the industries in Worcester without any training whatever for their work, receive an initial wage of \$2 to \$3 in dressmaking and millinery, and in power machine operating industries, any amount that can be earned on piece work. One factory pays \$6 per week until the girl is able to earn that amount which is, of course, a special and unusual case."

D. WAGES OF TRAINED AND UNTRAINED GIRLS

The chart on the opposite page taken from an article on Industrial Training, by Florence Marshall, which appeared in vol. XIX of *Charities and Commons*, makes an interesting comparison of the wages in certain low grade skill industries, which require little or no training, and other more highly skilled industries, for which training is given in the girls' trade schools. The figures on the left of the chart are based on the report of the Massachusetts Com-

mission on technical and industrial training and show that the maximum weekly wage in the industries given varies in Massachusetts from approximately \$2.50 to \$4.00 in the lowest paid industry to \$3-\$8 in the highest paid trade. The figures on the right of the chart are taken from the records of the Manhattan Trade School and the Boston Trade School. They show a variation from approximately \$4.50-\$12.50 in the lowest paid industry, to \$7-\$20 in the highest trade.



II. THE TRADE CHANGING GROUP

1. Men's Occupations.—In this group are included (a) adults who are engaged in skilled trades but who, finding they are misfits, wish training in order that they may change to a different trade in the hope of increasing their earning capacity and (b) mature young men who are engaged in unskilled work and who wish to gain entrance to a skilled trade. The latter class is not strictly a trade changing group in that they are working at unskilled employments rather than trades. For the purpose of this report, however, they are included in this group.

In the early history of many vocational schools large numbers of the former class were admitted to the evening courses in the belief that the school could prepare them to make the desired change. It has been the experience of practically all of these schools that only a very small per cent. of those who were admitted for this purpose completed the course. How far the training of the school enabled them to change their trade and increase their earning power, there are no data to show.

That the evening industrial school has not yet found a way by which it can successfully accomplish this task for large groups of men is evidenced by the fact that the legislation in most of those states which maintain a state-wide system of vocational schools specifically exempts from state reimbursement, trade changing classes.

To meet the needs of the second group, short term trade schools have been established in various cities. It is the aim of such schools to train the man by means of a course five or six months in length, for advantageous entrance to the industry. One of the best known schools of this type is the Baron de Hirsch Trade School of New York City. The following data of the earning capacity of graduates of this school are based on the Twenty-Fifth Report of the Superintendent.

BARON DE HIRSCH SCHOOL

* "An examination of the records of 839 graduates of the Baron de Hirsch Trade School showed that these young men, at an average age of 17½ years, had their wage-earning capacity increased 23 per cent. directly as the first immediate consequence of a 5½ months' trade school day course of vocational training.

* Report of the Commission on National Aid to Vocational Education.

"Working at the only occupation open to them before entering the school, and working with little or no hope of advancement in any occupation, these mature young men were able to earn on the average of \$6 per week. Five and one-half months later immediately upon graduation from an elementary course of school training for a trade, these same 839 young men were able to earn on the average of \$7.28 per week. The immediate increase in wages for this group of graduates thus amounted to \$1.38 per week, which is equivalent to an average increase of \$71.76 in annual wages. Such an increase in rate of wages realized immediately upon graduation, if continued for one year, would amply cover the cost to the community of providing a few months of simple elementary school training for a trade, and leave a wide margin of clear profit, to which must be added, in order to determine the real economic gain to the wage earner and to the community, the increase in earnings during the 35 or 40 years, which may be taken as constituting for the artisan the average period of economic productivity.

"Included in the group of 839 graduates considered above were 158 machinists, who had increased their average wages immediately and directly in consequence of a 5½ months' school course, from \$6.66, the average of their wages immediately before entering the school, to \$8.96, the wages earned immediately upon graduation. The increase in average wages per week for this group amounted to \$2.30, which is equivalent approximately to an increase in average annual wages of \$120. A group of 66 carpenters had increased their wages from an average of \$6.14 to \$9.01 — an increase of \$2.87 per week, or by approximately \$150 a year; 270 electricians had increased their wages from \$5.76 to \$7.12 — an increase of \$2.36 a week, or more than \$120 a year.

"These increases in wages are the first effects of a brief school training in the elements of a trade, and do not at all take into account the essentially much more important benefit derived from this training, namely, emergencies from the crowded ranks of casual unskilled labor, into the ranks of skilled labor in which economic advancement according to individual capacity becomes possible. In the report of the Baron de Hirsch School the statement is made that the majority of the young men who come to the school may aptly be called 'drifters', — boys who 'have left

school as soon as the law permits them to go to work, that is at the age of fourteen, to find employment in various unskilled occupations.' Less than six months of vocational school work converts these drifters into advanced apprentices equipped with the elements of a skilled craft.

"An investigation of the records of graduates from four classes of the Baron de Hirsch School developed the fact that (1) average wages of graduates, who were working at the trade learned in the school, in the case of every class exceeded the average wages of graduates working in a trade other than that in which they had received their school training; (2) that average wages of these working at trades other than the trade in which they had received their school training tended to remain relatively fixed, while wages of graduates working at the trade for which they had received school training increased, the difference in average wages of those two groups of graduates being greater the longer the time elapsed since graduating; (3) that the increase in average wages, over average wages received by graduates immediately upon graduation, amounted in the case of those who had been out of the school one year, to 21 per cent.; in the case of those who had been out of the school eighteen months, to 44 per cent.; and in the case of those who had been out of the school two years, to 74 per cent.

"This means that chiefly as a result of 5½ months of systematic vocational training, young men 17 years of age, described as drifters, who were earning before entering the school an average wage of \$6 with no prospect of advance in wages, were unable to earn within two years from graduation on the average more than \$12 a week — an increase of more than \$300 in average annual wages secured within a period of two and one-half years.

"It should be borne in mind that these results are achieved, in many cases, under difficult conditions, as regards home environment, time available for study, and accessibility of the school to the home in a great city; and that the course of study occupied only a few months."

2. Women's Occupations.—The term "trade changing" when applied to women's occupations cannot be taken in the same sense as in the case of men's occupations. Applied to men's employments it means a new trade. As applied to women's employments

it means not only a new trade but also an additional trade. As already pointed out, women's trades are usually seasonal. To obtain constant employment the worker must frequently be skilled in at least two trades. In the case of women's work, therefore, the value of the training for a new trade is to be measured not so much by the weekly increase in wage as by the fact that it may enable her to secure continuous employment. The measure in wage would be the total annual increase earned on account of the new trade.

It was not possible in this investigation to secure data showing the amount of annual earnings of any group. The following records of an evening class in straw operating in the Manhattan Trade School, are significant, however, as showing the weekly increase of wage of a group in a new occupation which they were able to enter as the result of their training.

This class was made up of thirteen women whose average age was 21.6 years. Before training they were engaged in such occupations as garment operating, artificial flowers, dressmaking, and millinery. The median wage before training was approximately \$8 a week. After one term of training in the evening school in straw operating the median minimum wage of the same group in the new industry was \$6. After three months' experience the median maximum wage was \$15. The highest maximum wage before training was \$12 and only one worker was able to earn that amount. After training in the new occupation 10 were able to exceed \$12 as a maximum, one earning as much as \$25 and none earning as a maximum less than \$8.

III. THE TRADE EXTENSION GROUP

The third group of workers included in this study are mature men who are engaged in skilled occupations and who come to the evening vocational school to get instruction along the line of their trade. To meet the needs of these men, most vocational schools maintain evening courses two or three years in length.

The workers who attend these courses are mostly the younger and more ambitious men in the trade, many of whom are still in the period of apprenticeship. Owing to change of employment, lack of ambition, length of course and similar causes, the per cent. of men who complete the entire course is frequently small. As a

result, those who graduate, as compared with the rank and file of the trade, are selected men. Many of them would advance in their work by virtue of their initiative and superior capacity regardless of training. The qualities that brought them to the evening school and held them there are the qualities that would make them successful in the trade. Many would also advance more or less automatically through the period of apprenticeship, or on account of the efforts of organized labor. How far these factors, together with those discussed on page 5, affect the wage of the worker it is impossible to say. Nevertheless, the training of the school is unquestionably also a factor.

The study bearing upon this part of the investigation was limited to the sheet metal trade and the machinist's trade, these being the only trades in which the data obtainable within the time available was extensive enough to be of any value.

It is to be admitted that there is some question as to the reliability of these data. In most cases the wage had to be secured from the men themselves, sometimes through the records of the school and at other times by letters and interviews. It is generally assumed that figures gathered in this way are exaggerated. In the few instances in which it was possible to check up by official records the figures obtained from the men it was found that they were uniformly accurate.

1. SHEET METAL WORK

New York Trade School

The records of all the men in the sheet metal trade who had satisfactorily completed one year or more of training in the New York Evening Trade School were examined. This included the records of eighty students. All but two of these men were working at the trade before entering the school and all but two continued in the same trade after completing their course.

The information concerning forty of these men was sufficiently complete so that it was possible to determine their wage for each of the three years immediately preceding evening school training and for an equal period immediately following training.

The average age of the group was approximately 19.6 years. They were all working at the trade during the entire period covered by the investigation, the average length of time in the industry

before training being 3.6 years. The average length of training was 2.5 years.

The average weekly wage of the entire group for each of the years before training and after training was as follows: Third year before training \$8.27, second year \$9.44, first year \$11.14. First year subsequent to training \$16.02, second year \$19.07, third year \$21.71. Expressed as a ratio this gives the following scale of increase: 1, 14, 35 — 94, 130, 163.

Five cases show no increase in wage. The largest increase in any one case was from \$10 per week the first year before training to \$24.75 per week the second year following training.

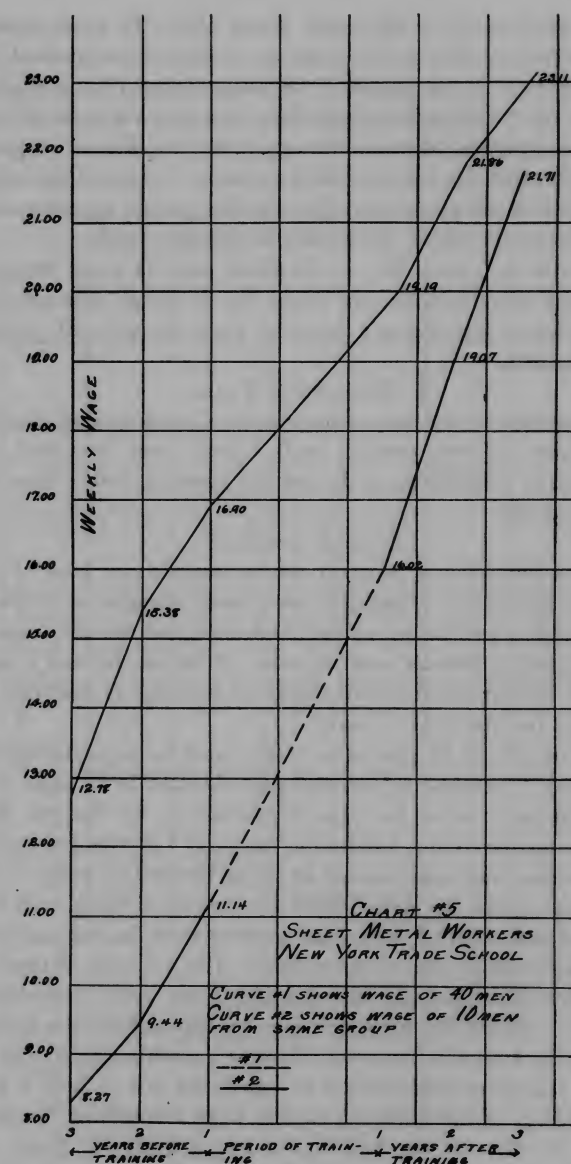
Chart No. 4 shows two curves, curve No. 1 being plotted from the above mentioned figures. The numbers on the side of the chart are the weekly wage for successive years before and after training. Those at the bottom indicate the corresponding years. The dotted line represents the period of training.

Curve No. 1

It should not be forgotten that any hard and fast conclusions drawn from this curve are open to question. It is worth noting, however, that the slope of the curve through the period of training to the point 16.02 is fairly uniform, while from that point on, *i. e.* for the period after training, the slope is sharper denoting a more rapid rise in wage than at any other point. How far this is due to training and how far to other causes it is impossible to say. The uniform slope during the first five years is probably due in large measure to the fact that many of these men were still in or near their period of apprenticeship and increase in wage during this time comes more or less automatically.

Curve No. 2

The figures for this curve were obtained by taking in alphabetical order the first ten cases in the group discussed above who had been in the trade at least five years prior to training. The average length of trade experience of the group thus selected was 6.3 years and the average age approximately 22.7 years. The average length of training was 2.7 years. The average weekly wage was as follows: third year before training \$12.78, second year \$15.38, first year \$16.90, during training \$18.45, first year after training \$19.99, second year \$21.86, third year \$23.11.



An examination of this curve shows about the same general characteristics as Curve No. 1, that is, a more or less gradual rise until the end of the period of training, followed by a slightly sharper rise. The angle of departure is nearly the same in both cases, showing an increase in wage after training of approximately the same per cent. in the two groups. Owing to the longer experience of this group (nine years at this point), apprenticeship as an automatic factor of increase is probably small.

The rise in Curve No. 2, therefore, may be more certainly attributed to training than in Curve No. 1, though even here the exact value of training as a factor of wage increase still remains indeterminate.

2. MACHINISTS' TRADE

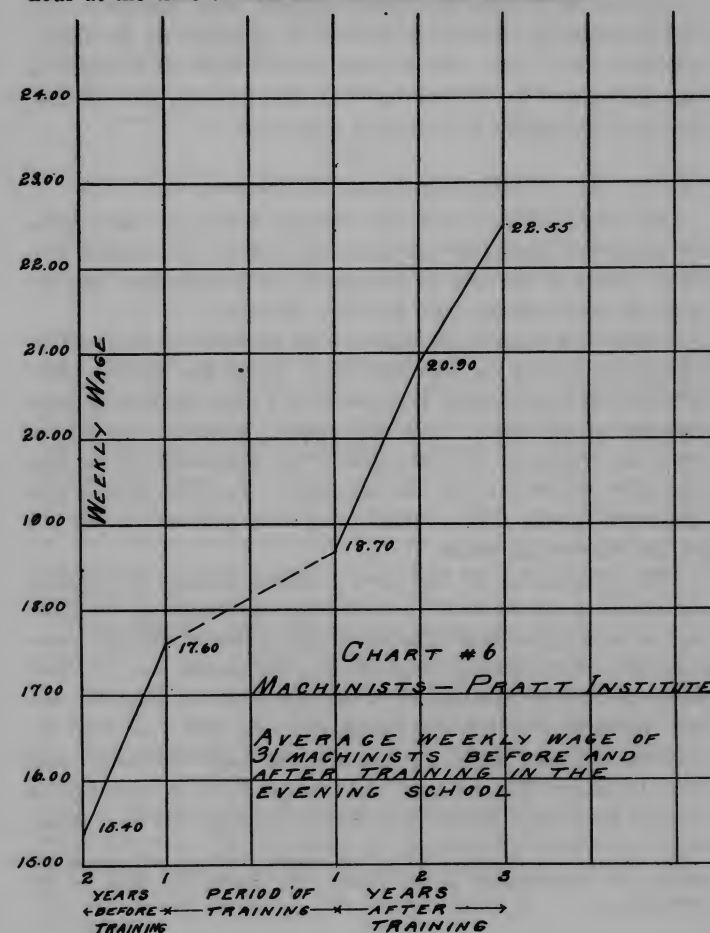
The records of 161 men in the courses of machine shop practice from three different evening trade schools were examined and information obtained as to the earning capacity both before and after training.

A. Pratt Institute

This school offers a two year course comprising a total of 288 hours of instruction to men who are already engaged in the trade. The school is well known among machinists and the excellence of the instruction attracts superior men. A tuition fee and a waiting list further serve as the means of securing as material for training, the best type of man.

The records of 38 graduates of the machine department were examined. Complete information was obtained in 31 cases as to the wage per hour at the time of graduation, for the two years immediately preceding, and for the two years following graduation. Information was also obtained as to the number of weeks of unemployment and the special kind of work upon which each man was engaged. All of these men were at work in the machinist trade both before and after training. The averages of these 31 cases give the following rates per hour; two years immediately preceding graduation \$.28, one year preceding \$.32, the year of graduation \$.34, the first year following graduation \$.38, and the second year after graduation \$.41. Reduced to a 55 hour a week basis this gives the following weekly wage for each of the above years: \$15.40; \$17.60; \$18.70; \$20.90; and \$22.55. Four cases showed no increase. The largest increase was from \$.22 to \$.35 per hour.

Chart No. 6 gives the curve plotted from these data. This curve in common with the two preceding curves, shows an increase in the angle of slope immediately following the period of training. The figures as to the length of trade experience were very incomplete in the case of these men, but they appear to show that the majority of the group were well out of apprenticeship before entering evening school. The average wage of \$.28 per hour at the time of entrance confirms this conclusion.



*In the case of this group the geographical factor was small, as most of the men were employed in Brooklyn. The decrease in the factor of apprenticeship, and the geographical factor, increase the probability that the advance in wage for the two years following graduation was in some measure due to training.

B. MECHANIC'S INSTITUTE

The records of eight men were obtained from Mechanic's Institute, Rochester, New York, and of 14 graduates of Mechanic's Institute, New York. While these records show an increase in wage subsequent to training in every case but two, the information is too incomplete to include in this report.

C. HEBREW TECHNICAL SCHOOL

This school offers a two year evening course for machinists, the instruction including machine shop practice and related subjects. Many of the men in attendance are foreign born and apparently have had but little previous schooling.

A study was made of the records of all graduates in the machine department during the past ten years. From this number, data as to the earning capacity both before and after graduating were obtained in 59 cases. This information, however, was not in every case complete. In some cases it was obtainable for the first year after graduation, but not thereafter. In other cases it was obtainable for the fifth or sixth years after graduation, but not for the intervening years.

After eliminating all instances in which increase was clearly due to known factors other than training, such as going into business or teaching the trade, the following number of complete cases remained. Third year prior to training, 58; second year, 58; first year, 59; during training, 50; first year after training, 40; second year after training, 39; fourth year, 22; fifth year, 19. No case was included which did not give the wage both before and after training. The average weekly wage for each year figured on this basis was: third year before training, \$12.88; second

*An attempt was also made to find out whether training had reduced the amount of unemployment in this group. The results are given in Appendix A.

year, \$13.55; first year, \$15.11; during training, \$15.60; first year after training, \$19.12; second year, \$20.61; third year, \$21.09; fourth year, \$22.19; fifth year, \$22.07. Four cases showed no increase in wage subsequent to training. The largest increase for any one man was from \$7.50 per week for the year immediately preceding training to \$22.50 for the first year following training. This was the case of a special machine hand who was still in his apprenticeship at the time of training. The record of one man, 30 years of age at the time of entrance to the school, reads as follows:

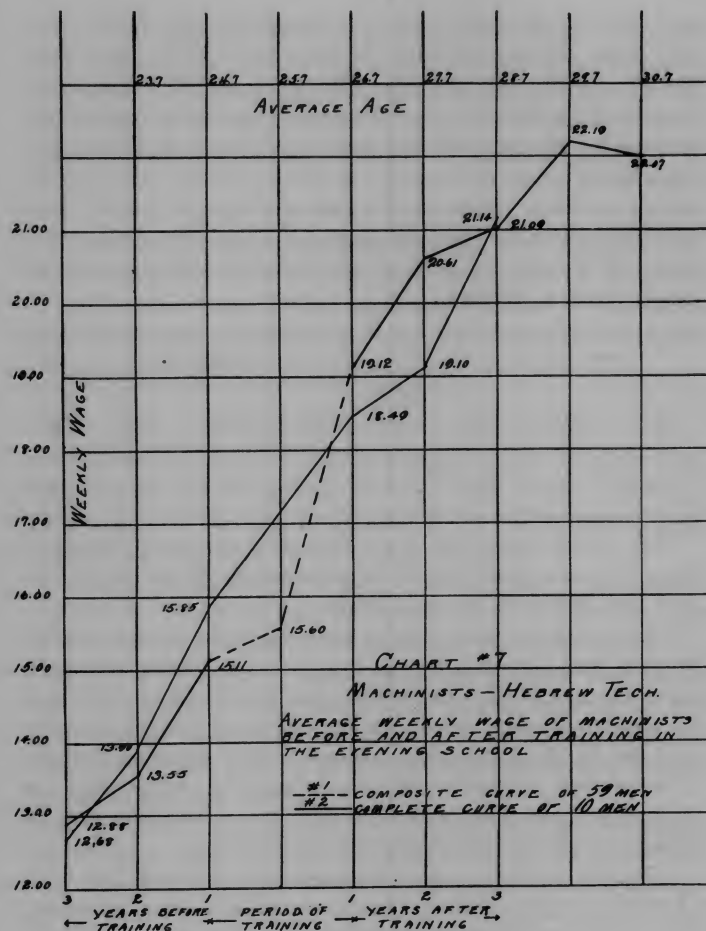
| BEFORE TRAINING | | | During training | AFTER TRAINING | | | |
|-----------------|-------------|------------|-----------------|----------------|-------------|------------|-------------|
| Third year | Second year | First year | | First year | Second year | Third year | Fourth year |
| \$23 00 | \$23 00 | \$23 00 | \$23 00 | \$23 00 | \$25 00 | \$27 00 | \$30 00 |

This record except for variations as to age, and amount of wage, is more or less typical of approximately 25 per cent. of the cases included in the above averages.

The average age at the time of training, of the 59 men referred to above, was approximately 24 years. All but three were working at the machinist's trade before entering the school. Of these, one was employed as pattern maker, one as a machine draughtsman, and the third as a steam engineer. Their wage was included in the average given above because the training of the school was assumed to have close relation to their trade. No man was included who changed his occupation after training.

From the average wage determined above, Curve No. 1 on Chart No. 7 was plotted. This is a composite curve, of course, and does not exactly represent the progress of any one group. It is probably a fairly accurate picture, however, of the progress of the average worker among the 59 men included in this investigation.

As in the preceding charts the numbers at the bottom of chart denote the years before, during, and subsequent to training. Those on the side indicate the average weekly wage and those at the top the age of the worker. The dotted lines show the period of training.



Curve No. 1

Starting at the origin the curve shows a gradual rise in wage to the point at which training begins. At this point it tends towards the horizontal. The age of the worker is now 24.7 years, which, according to Mr. Dodge's investigation given on page 14 is approximately the age at which the "average" mechanist strikes a dead level. It is also interesting to note that the average weekly

wage at this point is \$15.11 and that Mr. Dodge, in the study referred to above, gives the dead level wage of the "average" machinist as \$15.80, a difference of only \$.69. It is not to be concluded that the average mechanic represented by curve No. 1 would not rise above the \$15.11 mark except through training; but if Mr. Dodge's figures are accurate and of general significance, they tend to establish the presumption that he would not.

While this graph shows no increase in the angle of slope the first year following the period of training, the general trend of the curve continues upwards to point 22.19, and the "fair" curve between that point and the beginning of training shows a sharper inclination than does the "fair" curve for the period preceding training.

While no final conclusions can be drawn from this graph, it at least indicates that efficient trade training has a tendency to defer the age at which the average machinist reaches his maximum earning capacity.

As a check upon Graph No. 1, a second curve was plotted on the same chart from figures obtained by taking alphabetically the first ten names from among the 59 cases referred to above, whose records were complete for the three years before training and three years after training. The average age of this group was 23.7 years and the average wage as follows:

| BEFORE TRAINING | | | During training | AFTER TRAINING | | |
|-----------------|-------------|------------|-----------------|----------------|-------------|------------|
| Third year | Second year | First year | | First year | Second year | Third year |
| \$12 68 | \$13 90 | \$15 85 | Omitted | \$18 49 | \$19 10 | \$21 14 |

Curve No. 2

The curve plotted from these figures follows the first curve. The sharper slope before training is probably due to the fact that three of these men were still in their apprenticeships. The first year after training the rise is not so marked as in Curve No. 1, but in the second year it is sharper. This may be due to the fact that the men in Curve No. 2 average a year younger than those in Curve No. 1.

On the whole, Curve No. 2 tends to confirm the opinion that Curve No. 1, although a composite curve, is probably a fairly accurate representation of wage increase for an average group in the machine department of this school.

In conclusion it may be noted that the five curves of these three schools all show an increase in the angle of slope of the "fair" curve immediately following the period of training. This angle, moreover, although showing only a small increase in each case, is nearly the same for all of the curves. That increase in this angle is mainly due to training received in the evening school cannot be proven; neither can it be disproven. The varying conditions represented by the data of these schools and the fact that in each case there is an increase which is approximately the same for all three schools, supports the conclusion that this increase was probably due in no small measure to the training conferred by the school.

CONCLUSIONS

The information obtained in this investigation points to the following conclusions:

It appears to be very doubtful whether the money value of vocational training can be determined through a study of the wage of the worker with sufficient exactness to do more than establish tendencies. There seems to be no way to accurately evaluate the selective action of the school, for example, as a factor in wage increment. Neither does it seem to be possible to assign to such a factor limits of variation. This report is not prepared to demonstrate, however, that such evaluation is impossible. It recognizes that it is necessary to any conclusive study, but no way was found in this investigation by which it could be done.

The same statements may be made with equal truth concerning a large number of such factors as: the effect of scientific management, new combinations of capital, improved machinery, industrial depression, native ambition and ability. All of these are quantities which may enter into variations in wage. Unless they can be determined for each case there would seem to be no way by which a single factor, the value of school training, can be established.

It is believed that tendencies can undoubtedly be proved in special instances and with special groups. It can be shown, for example, that there is a tendency among manufacturers in the city of Fitchburg, Massachusetts, to pay boys who graduate from the co-operative course in that city more money than are paid boys of the same age who are not so trained. The same would also be true of other groups and other schools.

It is believed that the data presented in this report establish more or less clearly the tendencies discussed below:

(1) A tendency showing that the training given in most, if not all, the day schools included in this investigation enables the graduate of the school on entrance to the trade to secure a higher initial wage than he would otherwise obtain seems evident. This is especially evident in the case of such schools as the Beverly Industrial School and the various trade schools. It is also noticeable in the case of the two "trade preparatory" schools and in several of the apprentice schools. Local conditions and the prestige of the school undoubtedly have some influence on the initial wage. While there is no conclusive evidence, the records of this investigation seems to support the opinion that in general the longer the training the higher the initial wage.

(2) The data obtained from such schools as the New York Vocational School and the Rochester Shop School, as well as the various trade schools for girls, indicate that these schools, by saving young people from unskilled employments, show a noticeable tendency to increase the wage of young workers. In the case of the Boston Trade School for Girls and the Manhattan Trade School there also seems to be evidence, in the form of an increasing wage, of a growing recognition on the part of the employer of the value of the training offered by these schools.

(3) A clearly established tendency on the part of employers to pay graduates of certain boys' trade schools, on entrance to the industry, approximately full journeyman's wages seems to be indicated by the records of these schools. There is nothing in this report, however, which indicates that this tendency is also characteristic of the trade preparatory schools.

(4) There appears to be a marked tendency, in the case of such a school as the Baron de Hirsch Trade School, which indicates the ability of the school to advance the wage of the young mature laborer by lifting him from low grade skill employments to those demanding greater knowledge and skill.

(5) The evidence submitted in the case of trade extension courses shows a limited tendency on the part of the schools studied to slightly increase the earning power of those taking the training. This tendency however is not marked.

(6) A probable tendency on the part of the trade school to increase the promotional capacity of its graduates over that of non-graduates. This generally means a corresponding increase in wage.

(7) A probable tendency on the part of the trade school to defer the age at which the machinist reaches a "dead level" wage.

In conclusion it may be again noted that, so far as the data of this report go to show, the tendencies noted above are limited in each case to the schools studied. In no case has sufficient evidence been presented to conclusively demonstrate that they are general; nor is there, on the other hand, any evidence that they are not general. In the opinion of the writer, these data considered as a whole, do indicate, amid many varying factors which admittedly cannot be evaluated, that vocational training tends to raise the wage-earning capacity of the worker.

APPENDIX A

EFFECT OF VOCATIONAL TRAINING UPON UNEMPLOYMENT AND PROMOTION

In the Pratt Institute group referred to on page — an attempt was made to discover what effect training had had upon the amount of unemployment of these men. It is recognized that no exact correlation between training and unemployment can be established. It is interesting to note, however, that eliminating time lost on account of such causes as strikes and vacations, the average number of days of unemployment for each man for the five years under consideration was as follows:

Second year preceding graduation 9.0 days; first year 5.2 days; year of graduation 5.2 days; first year following graduation 2.9 days; second year 2.7 days.

Investigation of this group also showed that following the period of training approximately 50 per cent. of these men had been promoted to positions calling for increased skill and knowledge or greater responsibility, such as, from helper to machine hand, from machine hand to tool maker, from machine hand to foreman. Of course it is impossible to determine to what extent this promotion was due to the training of the school.

APPENDIX B

INDIVIDUAL RECORDS

The records of several individual cases of men trained in the evening school, not included in the body of the report are given herewith as typical of many others.

MACHINE DRAFTING

Case 1. Age 21. This man was employed by the New York Testing Laboratories, New York City. He secured a position after the second year of instruction as assistant draughtsman with the S. S. White Dental Manufacturing Company, Prince Bay, New York at \$10 per week. After six months' service the salary was increased to \$12 per week.

Case 2. Age 22. This man was formerly employed by the S. S. White Dental Manufacturing Company at \$10 per week as a machine operator. During the second term of night school, he secured a position with the Mergenthaler Linotype Company, Brooklyn, N. Y., at an increase in wage. Since then he has secured a second increase in the same division and is now receiving \$15 per week.

Case 3. Age 37. Employed by S. S. White Dental Manufacturing Company as screw machine operator at \$19 per week. Attended night school for one term and part of a second term. He learned to draw cams and set them up on screw machines according to instructions given in Brown and Sharpe book on screw machine practice. This knowledge enabled him to secure an increase in wage of \$4 per week.

Case 4. Age 24. Machine operator, learned to make drawings and specifications, enabling his father to start in a small business for himself.

Case 5. Age 19. Assistant draughtsman at the Raritan Copper Works, Perth Amboy, N. J. Received an increase in salary of \$15 per month after one year of instruction in machine drafting in the evening school.

Case 6. The following case is taken from the Fifteenth Annual Report of the City Superintendent of Schools, New York City, as reported by the Director of the Manhattan Trade School. "An illustration is the case of Anna B. who had drifted about from one unskilled job to another for nearly two years, never reaching more than \$6 a week. The family, a large one, were in miserable circumstances and were being helped by the Charity Organization Society. The girl was sent to the Trade School and the small wage that she was earning was paid to the family from the Student Aid Fund. Anna completed her course in operating and went to work, and in less than a year and a half, was able to make, at 'piece work' in the busy season, as high as \$35 a week. In twenty-three weeks during the past winter she has made over \$600 at straw operating, and when the busy season was over, she was scarcely out of work a day before she found a position at embroidery operating, where she received a weekly wage of \$9. She was changed from a discouraged, unskilled worker, to an enthusiastic, skilled one, rejoicing in the fact that she needed help from no one, but was able to work for herself, and as she herself said, was 'the main support of her entire family.'"

APPENDIX C

EXTRACTS FROM REPLIES FROM APPRENTICESHIP SCHOOLS

In reply to the question as to the effect of training upon wage in the case of apprenticeship schools, the officers of some of these school answered as follows:

School No. 1. "Trained boy receives 80 per cent. increase in this plant, over the untrained boy of the same age."

School No. 2. "We cannot answer your questions very specifically. Upon investigation, we found that after apprentices become journeymen, their earnings are from \$.30 to \$.47½ per hour, averaging perhaps \$.37½ per hour. We think this rate will be found probably 50 per cent. higher than the rate of wages paid young men (in this plant) who have not had the advantage of the course."

School No. 3. "We are unable to give you any information on this point, but we would state that the average wage of the trained boy would be more than that of the untrained boy of the same age and experience."

School No. 4. "The average wage of the trained boy as compared to that of the untrained boy of approximately the same age, does not show much of an increase until the second year after graduating. Then there is a rapid increase. Our chief draughtsman much prefers our graduate students for his work, to workmen with two years' general training."

School No. 5. "Untrained boys receive about the same wage as apprentices up to journeymen rate, but rarely get beyond that rate."

School No. 6. "The experience of this company in conducting its own school of instruction, over a period of eleven years, is such as to warrant the statement that our organization is made much more efficient, and, therefore, the wage or salary of individuals must necessarily increase. * * * There is no doubt in the mind of the writer, who has given the subject of training men very close observation, that it places the individual upon a highway of success, which might be compared with our present system of state highways under proper repair as contrasted with the old county road — you get along a great deal faster as long as you keep moving."

APPENDIX D

REPLIES FROM MANUFACTURERS

The following is illustrative of a number of replies received from employers. "I have not forgotten your visit nor the request for information, but found it necessary to send your papers down to our plant to have the data collected. * * * Owing to the depression of business which we have felt with others, many of the draughtsmen who were in our employ have taken other positions, presumably at some advancement in salary; but as these records are not obtainable by us, I fear the meagre report which I am sending you is not complete enough for your purpose. It does indicate however, that the training (of the evening class in draughting) has had some influence upon the increase of salary. Out of a total of 60 or 70 men, varying from 16 to 18 years up to 35 or 40 years of age, many of whom were employed by other companies and whose records we cannot get, there are naturally a certain number concerning whose salaries we have no accurate knowledge, and the list therefore shows only the few of whom we have positive knowledge. * * * There is a point, however, which the report does not cover but which I mentioned to you in our conversation, and that is, that the reading and understanding of drawings is a very important part of some of the mechanical branches of our industry, and I have personal knowledge of several men who have advanced from unskilled labor to a trade, and have been able to retain their positions and increase their efficiency in their trade, because of the training received in the draughting class. It was not their object to become draughtsmen but to become familiar with plan reading so as to make them very skilled men in the department in which they worked."

The report accompanying this letter gave the following record:

| | BEFORE TRAINING | | After training First year |
|---------|-----------------|------------|------------------------------|
| | Second year | First year | |
| A. | \$20 00 | \$25 00 | \$45 00 |
| B. | 15 00 | 25 00 | 40 00 |
| C. | 20 00 | 30 00 | 60 00 |
| D. | 15 00 | 15 00 | 25 00 |

These figures were taken from the official records of the employing firm.

APPENDIX E

REPLIES FROM EVENING SCHOOL STUDENTS

The following statements among many others were received from men in the trade who had taken evening training in the vocational school, in reply to a circular asking in what way the training had been of value to them.

Case 1. "After working evenings in the school, I got a position as lathe hand and have been advancing myself so that I am now working as a tool maker at an increase of \$10 per week."

Case 2. "The school helped me so as to pass examinations for machinist in the city department and in many ways in my present work, increasing my pay three dollars a week."

Case 3. "By placing in my possession the fine points of both technical and practical side of my occupation, thereby enabling me to pass creditably many examinations. The result of one is my present position. Increase in pay since taking training is \$30 a month."

Case 4. "By showing the knowledge I acquired in the theory and practice which put me always ahead of the others, my pay has been increased \$.10 per hour."

Case 5. "The instruction I received at the school enabled me to pass an examination for junior draughtsman, and while the compensation is but \$17 per week it is only the beginning of a good future. I am 21 years of age, and when I entered the evening school I was employed as a machinist at \$12 a week."

Case 6. "By taking advantage of all the little things the school had to offer, it helped me to the big things and along come the bigger money. My increase in pay has been \$70."

APPENDIX F*

THE COST OF PROVIDING INSTRUCTION

Based on the report of the Superintendent of Schools of Beverly, Mass.

"Judged by the experience of Beverly School, what has been the actual cost to the community of achieving this idea of Democratic education?"

The actual cost of providing this sort of instruction certainly does not exceed the cost of instruction in a high school, and if the children of parents who are economically well conditioned are given high school instruction free there would seem to be no just reason for denying people opportunity for continued school training to the children of parents less well conditioned. No such demand is, however, made upon the community by the vocational school of the Beverly type. While high school students were receiving the benefit of cultural training, they were not rendering service in the community as productive laborers. In the year 1911-12, the 80 boys enrolled by the Beverly Industrial School earned as wages a total of \$10,243.09. When the first group of boys were graduated into the factory on full time, the total cost, to the municipality and the State, of maintaining the school for a period of between two and three years, had amounted to a little over \$11,200. The school had left on hand an active "stock in process" (56 boys in various stages of preparing this for the trade).

A wage of \$6 per week for 50 weeks, that is to say of \$300 per year, capitalized at 5 per cent., represents an economic value of \$6,000. This approximately was the economic value as determined by the capitalization of the earning power of the boys when they came into the school. The economic value of the boys graduated into full time work in the factory, ranged from \$15,000 to \$18,000.

The increase in economic value of each boy thus exceeded the total cost of maintaining the school, during the period of his enrollment, while the wages actually earned by the boys as a group very

* Report of the Commission on National Aid for Vocational Education.

nearly equalled the cost of maintaining the school. It should be noted in this connection that the boys on part time received as wages only one-half of their earnings reckoned at the regular piece rate of wages in the factory. The product of their labor thus exceeded by 100 per cent. the amount indicated by the amount of their wages.

Following is a table of wages earned by the students in three years:

| | |
|--------------------------------|--------------------|
| 1909-1910, 73 boys earned..... | \$2,093 63 |
| 1910-1911, 62 boys earned..... | 3,408 20 |
| 1911-1912, 80 boys earned..... | 10,243 09 |
| Total earnings, 3 years..... | <u>\$15,744 92</u> |

The earnings for the year 1911-1912 are distributed among the student group as follows:

| | |
|-------------------------------|--------------------|
| Earned by part time boys: | |
| First year students..... | \$1,626 29 |
| Second year students..... | 1,009 36 |
| Third year students..... | 2,269 04 |
| Earned by full time boys..... | ..... |
| Total, 1911-1912 | <u>\$10,243 09</u> |

APPENDIX VII

REPORT ON THE COST OF LIVING

By Frank Hatch Streightoff, Ph.D.

PROFESSOR OF ECONOMICS IN DEPAUW UNIVERSITY

[1461]

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REPORT ON THE COST OF LIVING

By Chapter 137 of the Laws of 1913 and Chapter 110 of the Laws of 1914 the New York State Factory Investigating Commission was empowered to inquire "into the advisability of fixing minimum rates of wages or of other legislation relating to the wages or the conditions of labor in general or in any industry." The duty of inquiring into the desirability of a minimum wage law has made necessary this investigation into the cost of living. The wage statistics gathered by the Commission impressively reveal the fact that large numbers of employees in New York State are receiving very low pay. But that is only one side of the story; "How many of these men and women receive enough for a decent livelihood?" is the vital question. Obviously this question cannot be settled without definite knowledge of what a decent livelihood costs.

In a second way is knowledge of the cost of living necessary in the consideration of minimum wage legislation, namely, in predicting the effect of such laws upon the numbers of persons employed. It is asserted that many individuals in industry cannot be worth to their employers any more than they now receive. Therefore, if law compelled him to pay these weaklings a larger wage, the employer could not afford to retain the services of some of his present force. Undoubtedly it is to be expected that the enforcement of a minimum wage law might be followed by a reduction in the number of employees in some plants: yet this reduction could not be very great. It is by no means a rare event for a millinery boss to assure his copyists that a certain sum is all he can pay for making a given hat. These girls discover that another shop is paying more for a similar article and, on the strength of such knowledge, exact an increase from their employer. This is only one illustration of the familiar fact that, sometimes, employers would rather increase wages than lose even part of their help. It is then by no means to be expected that any considerable number of those who at present receive less than whatever sum might be established by law as a minimum wage,

will be thrown into idleness. The importance of this principle for the present purpose lies in its relation to the cost of living. A minimum wage, to be worth while, must be equal to the cost of living. The greater, therefore, the cost of living, the higher must be the minimum wage and the larger, consequently, may be the number of persons who lose their jobs.

Finally, the cost of living, as it determined the minimum wage, would determine the effect of such an institution to industry. It may well be that the establishment of a minimum wage would actually reduce profits. Assuming no increase in efficiency of labor, such would surely be the result. On the other hand, if the larger remuneration means better food and better health for any considerable proportion of the working force, labor will accomplish more and the profits will not be reduced as much as the payroll is increased. This cannot be doubted. Many a girl who at first enthusiastically increased her earnings on a piece basis has been compelled by the sheer nervous strain to limit her speed.¹ The improvement in health that should result from better wages will not altogether abolish the need for a limit, but it will tend to enlarge that limit. The relation between the cost of living and the effect of a minimum wage on profits is, therefore, by no means simple, yet it demands careful consideration.

For these three reasons it has been necessary for the Factory Investigating Commission to undertake a study of the cost of living. The purpose of this inquiry, then, is to determine, as definitely as possible, the amount of money necessary for life in simple decency and efficiency.

At the very outset it must be recognized that different persons have extremely unlike ideas as to what actually constitutes simple decency and efficiency. The English girl who thought that "one having only a small income would not want to spend more than \$4 on board and lodging," was mentally incapable of forming any other standard than one of wise distribution of the resources actually in her possession. On the other hand, Miss B——, a young woman who probably never spends a cent on amusement, and who, on a small wage, supports a sister, thought, when asked

¹ Louise Montgomery *The American Girl in the Stockyards' District*, page 29.

to make an itemized estimate of a living wage, that a girl should have \$50 per year for the theater alone. She had no more foolish an imagination than the other girl who actually maintained a beautiful complexion with cold water, but who, nevertheless, supposed her estimate must include a dollar and a half for powder. These extremes of humility and imaginary extravagance are avoided with comparative ease. Yet, the personal prejudices of a writer are so apt to color his conclusions that it will be well to state as precisely as possible what must be covered by the purchasing power of a living wage. Then the reader can make up his own mind as to the justice of the conclusions.

In the first place, food must be sufficient in quantity and quality to give the body an adequate supply of building material and of energy. But this is not enough. There are many cheap and nutritious foods which cannot be considered generally desirable because they are too hard to digest. Even the sturdy lumberman of Maine cannot endure pork and beans every day. Thus the matter of diet is complicated as well as important. Second, it is held that an adequate supply of clothing will afford protection against all the extremes of weather, will contain the garments necessary to a proper appearance while at work, and, finally, will include apparel fit for use at sociable affairs or religious assemblies. Third, the house should be such that every room has a window on a street, yard, court, or large airshaft with communication to street or court at the bottom.* The toilet must be light, ventilated and capable of being kept clean, and should be used exclusively by one family. Not more than two adults should be forced to occupy one room, and that room should be so arranged as to give absolute privacy. If in a city tenement, the apartment should contain running water. Beyond these three fundamental elements of physical maintenance, the living wage must provide for intellectual recreation and progress. There must be newspapers or periodicals to keep the individual in touch with world events and local affairs. There must be available funds to put the children through the grammar school at least. And then there

* See the Tenement House Law, chapter 99, Laws of 1909, article 4, section 58. "Every inner court shall be provided with one or more horizontal intakes at the bottom. Such intakes shall always communicate directly with the street or yard, and shall consist of a passageway not less than three feet wide and seven feet high," etc.

must be opportunity for amusement, for social life, and for religious enjoyment. Moreover, there must be included in the living wage provision for emergencies,—ill-health, death, and old age. The amount of this insurance or saving must depend largely on the probable obligations of the person under consideration.

This is the general concept of a decent livelihood, a concept that is defensible at every point, a concept that includes food, clothing, shelter, intellectual development, recreation and provision for the future. The term the "cost of living" as used in this report is the amount of money necessary to provide a decent livelihood. The cost of living of one individual is different from that of another individual if varying circumstances create unlike needs and obligations.

SCOPE AND METHOD OF REPORT

Having thus defined the problem which is to be solved, time should be taken for a brief description of the scope and method of this report.

While the investigators for the main inquiry were at work gathering the data concerning wages and unemployment in the factories and stores of the State, they were also gathering supplementary material on what is known as "Form No. 9." A reproduction of this schedule is given on page 1470. A glance at this form will show the character of the information sought. In the first place, there was a general description of the personal history of the individual questioned, that is, his or her age, conjugal condition, schooling, nativity, and family relationship. For instance, if the person was a woman, she was asked whether she resided at home or with relatives, and if with the latter, what relative. If she lived at home she was asked for a list of the members of her family, and whether each was working, and what each earned. Another class of questions dealt with the expenditures of the individuals. These expenditures were so arranged as to give a complete budget, if the questions were all answered.

From the nature of these questions it can readily be seen that there are some which it is very difficult for the average individual to answer. For instance, it is a rare person who can tell, off-hand, how much she has spent during the last year for clothing, or

even for one particular item of clothing, such as shoes. It is also hard for her to say just what is available for incidental expenses, "spending money," as the card puts it. On the other hand, there were questions which should be readily and accurately answered. Among these, the amount spent for board and lodging is something that everyone should know, although it might be difficult for a good many to say just how much their lunches cost them every week. This particular question, however, is not so difficult to answer, as many people limit themselves to an expenditure of some definite sum, such as ten cents, twenty cents, etc., for the noon-day meal. Another question which can be accurately answered in most cases is the amount spent for insurance or dues to societies of various kinds, social, benevolent, or religious. It may be said, then, in summary, that there were two classes of questions some of them might be accurately answered; others required more or less guesswork. It may be added, however, that, in the case of the expenditures which were not easily estimated, the investigators were able greatly to aid the memories of the men and women with whom they talked. For instance, each agent who interviewed a great many women employed in the stores and factories had in mind a list of all the common articles of clothing used by women. As she was questioning each woman, the investigator asked how many dresses she had had during the year and most of the women had a fairly definite idea of what they had cost, how often it was necessary to purchase hosiery and at what price, and so on through the list. By this method it was found that most of the women had a fairly definite idea of what they had had and what they had paid. The accuracy of the returns on clothing was rendered greater by the fact that whenever a girl was unable to say with a fair degree of precision what she had spent for wearing apparel, no attempt at all was made to obtain an estimate from her. The same course was pursued in regard to each of the items which are vague in the minds of the individuals. So it is that in the tables which will follow, there are a great many items that are reported for a rather small proportion of the persons who contributed to the gross returns; but the budgets giving these items are naturally selected as the ones most apt to be correct. For these reasons it is believed that the results of the inquiry are trustworthy.

FORM 9

| | | | | |
|-------------------------|------------|------------------------|----------------------|-------------------------------|
| No. _____ | | | | |
| DATE | | AGENT | | |
| NAME | | ADDRESS | | |
| INDUSTRY | OCCUPATION | | FIRM | |
| SEX | AGE | BIRTH PLACE | YRS. IN U. S. | |
| FATHER'S NATIONALITY | | CONJUGAL CONDITION | | |
| SCHOOLS ATTENDED: KIND | | | | |
| WHERE | | GRADE | | |
| AGE LEAVING | | REASONS LEAVING | | |
| TRADE TRAINING | | | | |
| WHOLLY SELF-SUPPORTING | | SUPPORTING OTHERS | | |
| AID WHEN UNEMPLOYED | | | | |
| LIVE AT HOME | | CONTRIBUTION TO FAMILY | | |
| OTHER MEMBERS OF FAMILY | | | | |
| RELATION | AGE | WORK | WEEKLY EARNINGS | AMOUNTS CONTRIBUTED TO FAMILY |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| WEEKLY EXPENSES: | | | | |
| BOARD: PLACE | | COST PER WEEK | FURNISHED ROOM: COST | |
| CARFARE | | LUNCHES | | |
| LAUNDRY | | SPENDING MONEY | | |
| CLOTHES PER YEAR | | DUES PER MONTH | | |
| SAVINGS: | | | | |

When the cards from the persons interviewed were counted, it was found feasible to tabulate 800 that had been collected from the department stores and five-and-ten-cent-stores and 531 from the candy, paper-box and shirt factories in New York city, and 408 from stores and 198 from the factories in the rest of the State. These cards all represent women. The investigators did not secure enough interviews with men to make tabulation worth while. This neglect of the men was intentional. In the first place, it was felt that the probability of the necessity of a minimum wage law for women was much greater than for men; second, it was easier to obtain the data from the women than from the men; and finally, a separate investigation of the cost of living of families was to be made, and this investigation would be more valuable than the results obtained by quizzing married men at their places of work.

Another phase of the investigation was the collection of material on the living condition of employed women in New York city, and a study of their home life. The aim of this study of the homes was the exact description of the opportunities of the women employed on low wages for the enjoyment of fresh air, sleep, privacy, and all the other important elements of home life. In all, about one hundred apartments were visited. There is no doubt that these apartments were thoroughly typical of the homes of the New York city factory girls.

The third line of investigation was the comparative study of food prices in five of the principal cities of the State, namely, New York City, Buffalo, Syracuse, Albany and Elmira. The more detailed description of this study will be given later.

The fourth independent phase of the investigation was the study of family life with particular reference to the influence of income on the breadth of that life. This study was made in three cities, New York, Buffalo, and Troy. Its object was two-fold: first, to serve as a check upon the estimates of the cost of living of families which have been made by various social agencies, and, second, to afford independent data for new estimates. This study was made by two expert agents who would visit a home, and, after a long conference with the housewife, draw up a careful description of the mode of living. The outline of this descrip-

tion, which was made on cards, is shown in Appendix V. While in some cases it was found that the family accounts did not balance, the investigation afforded a great deal of valuable material as to the amount of clothing that is necessary in the course of a year for people in different stations. It revealed sharply the possibilities of life on different incomes.

So much for the different phases of the investigation. Now a word as to the method pursued in presenting the material and the conclusions. Statistics of themselves are meaningless; in fact they are a bore to the great majority of readers. Nevertheless they are useful and necessary because a man's opinions based upon his own experience cannot be trusted in a matter which affects so many different people as are employed in the stores and factories of this State. A conclusion based on a knowledge of "concrete facts," meaning thereby the specific instances that have fallen in the range of one person's observation, may be right or it may be wrong. All depends on whether those facts were typical or not. The only way to tell whether one's facts are typical is to extend the number of observations until they include so many cases that there can be no doubt of a proper representation. The data in this report were gathered with a view of accurate representation. The persons interviewed were selected without knowledge of their peculiar problems. They were selected at random, with a view of representing the different wage groups and the different classes of employees, according to occupation and conjugal conditions, and the different nationalities engaged in the industries. In one particular only were they limited; in the up-state stores and to a less extent in the factories, the interviews were largely confined to women earning less than ten dollars a week. The reason for this was that it was believed the living wage would be found somewhat under ten dollars and that it was better to confine attention to those below this sum rather than to waste energy in gathering material that might have no direct bearing on the subject of the inquiry. When it appears, therefore, that the average wage of the women employed in the up-state stores was \$6.23, the conclusion must not be drawn that this figure represents the industry. The important point here is that the classes dealt with, the earners of low wages, are accurately described by the figures presented. In analyzing the soil of a field, the chemist takes

spadefuls of earth at random from spots in every section of the lot, mixes them together and then tests a few small bits from the mixture. His result is so valuable that he can charge for the service and prescribe a treatment for the soil. Similarly the statistics presented in this report are a collection of material from all sections of the four industrial fields covered. The amount of stuff actually analyzed is small in comparison with the numbers employed. Nevertheless, for the purpose in hand, for the study of the cost of living, the quantity seems adequate.*

PLAN OF REPORT

This report will take up first a study of the life of the women employed in the industries investigated,—stores, and candy, paper-box, and shirt factories,—with a view of determining the cost of living for women. Part II will deal with the cost of living to a young man living independently, and Part III will treat the cost of living of the family. The appendix will be found to contain tables throwing additional light upon the text, a study of "The Home Life of Working Women" by Mr. Marie S. Orenstein, a reproduction of the schedules used, and a number of letters received in response to requests of Chairman Wagner for estimates of the cost of living. It is believed that these letters will prove very interesting and valuable to the seeker for informed opinion.

ACKNOWLEDGMENT

In closing this introduction, acknowledgment must be made of the great aid rendered by Dr. Howard B. Woolston, director of the main investigation, who was generous of his time and material. Mr. Bernard L. Shientag, assistant counsel, was ever ready with advice, criticism and aid. Mr. Roswell Skeel of New York, Mr. Almus Olver of Syracuse, and Mr. Frederick Almy of Buffalo, procured a mass of valuable material. Miss Stella Packard, as tabulator and as an expert investigator, has been a most efficient assistant.

* In the presentation of the data resort will be made frequently to figures, because they are necessary. On the other hand an attempt has been made to simplify expression as much as possible. Instead of percents, common fractions are used to express proportions, and round numbers are used in the text. It is pedantry to pretend that there is significance in the difference between the statement of the weekly rate of board as \$4.59 and approximately four dollars and a half. Therefore, the student who cares for nice exactness is referred to the tables and the tabulation in the appendices: the average reader will probably find all he desires in the text.

PART I

WOMEN IN THE STORES AND FACTORIES OF NEW YORK STATE

THE COST OF LIVING TO THE SINGLE WOMAN

In all, some 1,937 cards reporting the results of interviews with women were found worth tabulating. Before proceeding to the discussion of the material definitely connected with the problem of the cost of living, it may be well to note something of the general make-up of the group. More than three-fourths were native born, as will be seen in Table I. But the proportion of natives in the cities up-state (nearly nine-tenths) was greater than in New York City itself where it was approximately seven-tenths. In both cases the proportion of the native born was larger than in the population as a whole, for in New York City approximately three-fifths of the people are of American birth and in the rest of the State five-sixths. This fact is probably explicable on the ground that so large a number of the employed women are young, for only 674, or approximately a third, were of the second generation in America. In other words nearly two-thirds were either the children of fathers born outside of the United States or were themselves foreign born.

As the proportion of foreign born was higher in New York City than in the other municipalities, so it was higher in the factories than in the stores. In the factories of New York city over one-half were foreigners, and up-state nearly one-sixth. In the New York city factories only eighty-one out of 530 were the children of native fathers, in the stores 299 out of 784; in the up-state factories seventy-six out of 180 factory workers were children of native fathers, in the stores 218 out of 376.*

What were the races represented by these persons? In New York city, there were a great many Russians and Italians in the

* These figures are for those who gave complete answers to the questions. It is unfortunate that the mothers' nativity was not ascertained.

factories. The Russians are relatively most numerous in the shirt industry and the most numerous foreign race in the paper-box establishments. There are a great many more Italians, relatively, making shirts and candy, than boxes. When the second generation is considered the Italians, Irish, and Germans are found to be the heaviest contributors to the New York factory population. In these three industries, the daughters of German, Irish, and Italian fathers, and women born in Italy and Russia, comprise two-thirds of the female workers. In the up-state factories the children of Irish and German fathers are the next in importance to those of native blood, while Canada contributes the largest number of foreign born workers.

TABLE I

NATIVITY OF 1,937 WOMEN EMPLOYED IN STORES, AND CANDY, PAPER-BOX, AND SHIRT FACTORIES, IN NEW YORK CITY AND IN OTHER CITIES

| I | | II | | III | | IV | | V | | VI |
|------------------|--------------------------|---------------------------------|-----------|------------|-----------|--------------|-----------|------------|-----------|--------|
| COUNTRY OF BIRTH | | NATIVITY OF EMPLOYED WOMEN IN — | | | | | | | | Totals |
| | | New York City | | | | Other cities | | | | |
| | | Mercantile | Factories | Mercantile | Factories | Mercantile | Factories | Mercantile | Factories | |
| 1 | United States..... | 695 | 233 | 373 | 166 | 1,467 | | | | |
| 2 | Canada..... | 6 | 2 | 15 | 7 | 30 | | | | |
| 3 | England..... | 13 | 8 | 2 | 2 | 25 | | | | |
| 4 | Ireland..... | 24 | 3 | 4 | 2 | 33 | | | | |
| 5 | Scotland..... | 5 | 1 | 2 | 1 | 9 | | | | |
| 6 | Australia..... | 1 | | | | 1 | | | | |
| 7 | Austria..... | 5 | 21 | 1 | 5 | 32 | | | | |
| 8 | Belgium..... | 1 | | | | 1 | | | | |
| 9 | British West Indies..... | 2 | | | | 2 | | | | |
| 10 | Cuba..... | 1 | | | | 1 | | | | |
| 11 | Denmark..... | 1 | | 1 | | 2 | | | | |
| 12 | France..... | 1 | 3 | | | 4 | | | | |
| 13 | Galicia..... | | 5 | | | 5 | | | | |
| 14 | Germany..... | 9 | 4 | 3 | 1 | 17 | | | | |
| 15 | Greece..... | | 1 | | | 1 | | | | |
| 16 | Hungary..... | | | | 1 | 1 | | | | |
| 17 | Italy..... | 5 | 81 | 1 | | 87 | | | | |
| 18 | Poland..... | | 7 | | 2 | 9 | | | | |
| 19 | Roumania..... | 1 | 2 | | | 3 | | | | |
| 20 | Russia..... | 23 | 159 | 2 | 2 | 186 | | | | |
| 21 | Sweden..... | 2 | | | | 2 | | | | |
| 22 | Switzerland..... | 1 | | | | 1 | | | | |
| 23 | Turkey..... | 2 | | | | 2 | | | | |
| 24 | Not reported..... | 2 | 1 | 4 | 9 | 16 | | | | |
| 25 | Totals..... | 800 | 531 | 408 | 198 | 1,937 | | | | |

TABLE II

NATIVITY OF FATHERS OF 1,467 NATIVE BORN WOMEN EMPLOYED IN STORES, AND CANDY, PAPER-BOX, AND SHIRT FACTORIES

| I | | II | | III | | IV | | V, 4 | | VI | |
|-----------------------------|--------------------|---|-------|-----------|--|--------------|-------|-----------|--|--------|--|
| COUNTRY OF BIRTH OF FATHERS | | NATIVITY OF FATHERS OF WOMEN EMPLOYED IN— | | | | | | | | Totals | |
| | | New York City | | | | Other cities | | | | | |
| | | Mercantile | | Factories | | Mercantile | | Factories | | | |
| 1 | United States..... | 299 | 81 | | | 218 | 76 | | | 674 | |
| 2 | Canada..... | 9 | 2 | | | 5 | 3 | | | 19 | |
| 3 | England..... | 24 | 2 | | | 8 | 8 | | | 42 | |
| 4 | Ireland..... | 126 | 44 | | | 37 | 32 | | | 239 | |
| 5 | Scotland..... | 7 | 1 | | | 1 | 2 | | | 11 | |
| 6 | Wales..... | 1 | ..... |  |  | 6 | 1 | | | 8 | |
| 7 | Austria..... | 11 | 9 |  |  | ..... | ..... |  |  | 20 | |
| 8 | Batavia..... | 1 | ..... |  |  | ..... | ..... |  |  | 1 | |
| 9 | Bohemia..... | 1 | 2 |  |  | ..... | ..... |  |  | 3 | |
| 10 | Denmark..... | 2 | ..... |  |  | 2 | ..... |  |  | 4 | |
| 11 | Finland..... | ..... | ..... |  |  | ..... | 1 | | | 1 | |
| 12 | France..... | 6 | 2 | | | 1 | 1 | | | 10 | |
| 13 | Germany..... | 135 | 25 | | | 54 | 26 | | | 240 | |
| 14 | Holland..... | 1 | ..... |  |  | 2 | 1 | | | 4 | |
| 15 | Hungary..... | ..... | 3 |  |  | ..... | ..... |  |  | 3 | |
| 16 | Italy..... | 9 | 44 | | | 2 | 2 | | | 57 | |
| 17 | Norway..... | 3 | ..... |  |  | ..... | ..... |  |  | 3 | |
| 18 | Poland..... | ..... | ..... |  |  | 3 | 4 | | | 7 | |
| 19 | Romania..... | 2 | ..... |  |  | ..... | ..... |  |  | 2 | |
| 20 | Russia..... | 36 | 15 | | | 4 | ..... |  |  | 55 | |
| 21 | Australia..... | ..... | 1 |  |  | ..... | ..... |  |  | 1 | |
| 22 | Sweden..... | 5 | 2 | | | 1 | ..... |  |  | 8 | |
| 23 | Switzerland..... | 3 | ..... |  |  | 1 | ..... |  |  | 4 | |
| 24 | Not reported..... | 14 | ..... |  |  | 28 | 9 | | | 51 | |
| 25 | Totals..... | 695 | 233 | | | 373 | 166 | | | 1,467 | |

It is rather surprising to find twenty-three Russians among the store workers of New York City, although twenty-four Irish is not an astounding proportion. The Canadians furnish fifteen store employees in the rest of the State. When descent is considered, it is found that over a third of the women in New York city stores had Irish or German fathers, up-State the proportion is nearer one-fourth.

To sum up this rather complex state: Italians, Russians and the children of Germans, Irish and Italians predominate in the New York city factories. The Irish and German migration having largely ceased, the second generation is to be expected in industry. The Italians have been here long enough to have raised children to a productive state and they are still coming. The Russian immigration is new, hence the large number of Russian born and the small number of native children of Russians.

Moreover, the workers in these factories are poorly paid, and so the newest immigrants naturally are found in their service. In the up-state factory returns, the racial tendencies are not adequately represented, as the number (198) is small and the distribution in the cities is not fair, Buffalo having very few of her large foreign population included.

TABLE III

YEARS OF RESIDENCE IN THE UNITED STATES OF 171 FOREIGN BORN WOMEN EMPLOYED IN STORES IN NEW YORK AND OTHER CITIES, AND IN CANDY, PAPER-BOX, AND SHIRT FACTORIES OF THE OTHER CITIES

| I PERIOD OF RESIDENCE IN THE UNITED STATES | II NUMBER WHO HAVE RESIDED IN U. S. SPECIFIED TIME | | | |
|---|---|--------------|-----------|-------|
| | New York city stores | Other cities | | Total |
| | | Stores | Factories | |
| Less than 1 year..... | 3 | 1 | ..... | 4 |
| 1 year..... | 1 | 4 | 1 | 6 |
| 2 years..... | 2 | 3 | 3 | 8 |
| 3 years..... | 4 | 1 | 4 | 9 |
| 4 years..... | 5 | 3 | ..... | 8 |
| 5 years..... | 5 | 1 | 2 | 8 |
| 6 years..... | 6 | 2 | ..... | 8 |
| 7 years..... | 4 | ..... | 2 | 6 |
| 8 years..... | 4 | 1 | ..... | 5 |
| 9 years..... | 5 | ..... | ..... | 5 |
| 10 years..... | 6 | ..... | 1 | 7 |
| 11 years..... | 4 | ..... | ..... | 4 |
| 12 years..... | 5 | 1 | ..... | 6 |
| 13 years..... | 1 | ..... | ..... | 1 |
| 14 years..... | 1 | ..... | ..... | 1 |
| 15 years..... | 1 | ..... | ..... | 1 |
| 16 years..... | 3 | ..... | 1 | 4 |
| 17 years..... | 3 | ..... | ..... | 3 |
| 18 years..... | 3 | ..... | ..... | 3 |
| 19 years..... | 1 | ..... | 1 | 2 |
| 20 or over..... | 19 | 7 | 3 | 29 |
| Not reported..... | 19 | 11 | 13 | 43 |
| Totals..... | 105 | 35 | 31 | 171 |

The women in the stores are mostly native born and largely of native, English, German, and Irish stock, because salesmanship requires a thorough knowledge of the local culture, of the ways of folks. It is only the races well established in the community that can furnish girls equipped with the command of English and the mastery of social institutions that will enable them to succeed in positions where their success depends on their ability to meet women and persuade them to buy.

A third table having to do with the nativity of the workers is incomplete. Through an accident a large proportion of the interviews in the factories in New York city had been completed before the discovery was made that the phrase "Years in U. S." had been left off the cards. This defect was at once remedied and the returns for all the stores and the up-State factories are in this respect complete. A study of Table III will show that a considerable proportion of the foreign born — namely about one-fourth had been in the United States twenty years or more, and nearly half had been here at least ten years. The proportion who had been in America ten years or more is slightly larger in the New York City stores than in the whole group. Up-state a larger proportion of the store employees had been in the country twenty years. These facts are based on such small numbers that their importance must not be over estimated; yet they tend to confirm the explanations offered for the larger proportion of natives among the store employees, namely the necessity imposed upon them of a larger acquaintance with American culture.

AGES

As is readily seen on the examination of Table IV, the great bulk of the women who furnished material for this investigation were young. Nearly one-fifth of them were between the ages of fourteen and seventeen. Considerably over one-half were between the ages of eighteen and twenty-four; and fully eighty-four per cent. were less than thirty years old. The differences between the branches of industries studied are perhaps worthy of note. In the stores of New York City, more than half of the women (54 per cent.) were between the ages of eighteen and twenty-four. Contrast this with the factories where sixty-one per cent. were between the ages of sixteen and twenty. In the other cities practically the reverse is the fact, for upward of half in the stores are between the ages of eighteen and twenty-four and only two-fifths in the factories. It thus appears that the women in the factories of New York city actually are considerably younger than those in the stores. In the other cities they are about the same in the general range of their ages, but there are more older women pro-

portionately in the factories. One other thing should be noticed and that is that the women in the stores outside of New York City are a trifle younger than those in the metropolis. It is difficult to explain this variation in ages, but one thing may be suggested. The store demands of the saleswoman a greater maturity than the factory requires of the operative, for two reasons. In the first place, the worker in the store has to meet people frequently and has to evoke confidence in the prospective customers. A very young person cannot do this satisfactorily. In the second place, the manual work in the factories can be as easily done by young girls as by older persons, provided there is no great muscular strain involved. In fact it is claimed that many of the operations can be accomplished better by the younger people. Certainly the processes can be easily learned. Thus, though experience is a large factor in efficiency in the store, it is a very small factor in at least some of the factory work. There are some operations, for example, in which a girl may become a master in two or three weeks and find it very difficult thereafter to increase her speed. There is perhaps still another reason for the greater age of the department store women in New York, namely, their race. As a much larger percentage of the salesgirls are the children of native fathers, it is to be expected that they will have been members of households which are on the whole, rather better off than immigrant families, and that economic pressure will not have forced them into industry at so early an age as the foreign born who make up the factory population. But this fact may be merely a result of the greater demands made by the stores upon their employees. The comparatively greater number of younger women in the stores outside of New York city can also be explained on these grounds. The competition for places in the up-state stores is probably less severe than that in the great city; but there is no way of confirming this supposition without research. Perhaps a better explanation of the comparative youth of the women studied in the up-state cities is to be found in their lower wages. Tables compiled for the New York City people show that their wages increased with their age, hence there can be little doubt that the real cause of this difference in age was the method of selection of per-

sons to be interviewed by the agents. There is another feature of the age distribution in Table IV which should be noticed, namely, that there are more older women in the factories up-state than in New York City. Perhaps the explanation of this is that there was a smaller foreign born population up-state, but as only 198 factory women were interviewed outside of New York it is possible that the mere accident of the statistics accounts for the difference. In summary, it may be said that the great proportion of the women employed in the industries examined were young.

TABLE IV
AGES OF 1,937 WOMEN EMPLOYED IN THE STORES, AND CANDY, PAPER-BOX, AND SHIRT FACTORIES
IN NEW YORK CITY AND IN OTHER CITIES

| I | | II | | III | IV | V | VI |
|-------------------|-------------------|------------------------------|-----------|--------------|-----------|--------|----|
| AGE GROUP (YEARS) | | NUMBER OF SPECIFIED AGE IN — | | | | Totals | |
| | | New York City | | Other cities | | | |
| | | Stores | Factories | Stores | Factories | | |
| 1 | 14 or 15..... | 22 | 35 | 15 | 6 | 78 | |
| 2 | 16 or 17..... | 83 | 124 | 48 | 31 | 286 | |
| 3 | 18 to 20..... | 192 | 201 | 117 | 43 | 553 | |
| 4 | 21 to 24..... | 240 | 91 | 107 | 39 | 477 | |
| 5 | 25 to 29..... | 115 | 31 | 65 | 20 | 231 | |
| 6 | 30 to 34..... | 56 | 16 | 20 | 11 | 103 | |
| 7 | 35 to 39..... | 37 | 10 | 18 | 19 | 84 | |
| 8 | 40 to 44..... | 19 | 10 | 7 | 12 | 48 | |
| 9 | 45 to 54..... | 9 | 7 | 10 | 11 | 37 | |
| 10 | 55 to 64..... | 3 | 1 | ..... | 4 | 8 | |
| 11 | Not reported..... | 24 | 5 | 1 | 2 | 32 | |
| 12 | Totals..... | 800 | 531 | 408 | 198 | 1,937 | |

SCHOOLING

In Table V is recorded part of the school record of the women interviewed. It may be necessary to explain just how to read this table. Column II shows that four women who were employed in the stores in New York City and who had their last period of schooling in this country left off being educated before they were twelve years of age. That is, Column II and other columns similarly captioned give the number of people who went to school in the United States at the end of their school days. Probably a good many included in this column went to school abroad and then, after migrating to the United States, spent a year or so in

our educational system. An examination of this table impresses one forcibly with the fact that a very great proportion left school at the age of fourteen. This is true of every group represented. A more detailed examination will show that nearly two-fifths (35 per cent.) quit school at this age. At the ages of fourteen, fifteen, and sixteen more than four-fifths of all the women finished their school career.

Perhaps a more detailed analysis is worth while. One surprising development is the extreme youth at which the education of many of these women ceased. One in every eight had left school before reaching her fourteenth birthday. In fact, more left school at these early ages than stayed beyond the seventeenth birthday. Again, there is a difference noticeable between the education of those employed in the stores and those in the factories. Both in New York City and in the other cities the stores seemed to have selected women who had stayed, on the whole, longer in school. One way of approaching this problem is to state the number who remained in school after their sixteenth birthday. In the New York City stores one-fourth continued their studies after they were sixteen, but in the factories just a little over one-eighth stayed with their books that long. In the other cities, whereas among the store employees thirty-six per cent. remained in school beyond the age of sixteen years, only one-fifth of the factory operatives had been so fortunate. It is, therefore, clear not only that the store employees are better educated than factory operatives, but also that the New York City workers enjoy less schooling than their up-state sisters. This applies to those who finished their education on the United States. Approximately the same is true of those educated abroad. The apparently better education of those who finished school abroad, as shown in Columns XX and XXI of the table is a misrepresentation of the truth, for among eighty-eight who are reported as unclassified, there are at least seventy-four born in Russia, who never saw the inside of a school-room.

TABLE V
AGES AT LEAVING SCHOOL OF 1,937 WOMEN EMPLOYED IN STORES, AND CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY AND IN OTHER CITIES

| AGE AT LEAVING SCHOOL | NUMBER OF SPECIFIED CLASSES LEAVING SCHOOL AT SPECIFIED AGE | | | | | | | | | | | | | | | | | | | | | |
|------------------------|---|--------|-------|--------------------|--------|-------|--------------------|--------|-------|--------------------|--------|------------|--------------------|--------|-------|--------------------|--------|-------|--------------------|--------|-------|---------|
| | Employed in New York City in | | | | | | | | | | | All cities | | | | | | | | | | |
| | Stores | | | Factories | | | Stores | | | Factories | | | Stores | | | Factories | | | Total | | | |
| | Education finished | | Total | Education finished | | Total | Education finished | | Total | Education finished | | Total | Education finished | | Total | Education finished | | Total | Education finished | | Total | |
| | In U.S. | Abroad | | In U.S. | Abroad | | In U.S. | Abroad | | In U.S. | Abroad | | In U.S. | Abroad | | In U.S. | Abroad | | In U.S. | Abroad | | In U.S. | Abroad |
| 1 Under 12 years..... | 4 | 1 | 5 | 7 | 14 | 21 | 3 | 1 | 4 | 3 | 1 | 4 | 7 | 2 | 9 | 10 | 15 | 25 | 17 | 34 | | |
| 2 12 years..... | 10 | 5 | 24 | 11 | 35 | 30 | 7 | 1 | 8 | 10 | ..... | 3 | 10 | 26 | 6 | 32 | 21 | 19 | 40 | 72 | | |
| 3 13 years..... | 63 | 3 | 66 | 27 | 93 | 45 | 21 | ..... | 21 | 21 | ..... | 8 | 24 | 74 | 3 | 77 | 48 | 21 | 69 | 146 | | |
| 4 14 years..... | 261 | 10 | 271 | 153 | 424 | 179 | 113 | 7 | 130 | 64 | 2 | 66 | 374 | 17 | 391 | 217 | 28 | 245 | 591 | 636 | | |
| 5 15 years..... | 206 | 12 | 218 | 81 | 299 | 16 | 97 | 95 | 4 | 99 | 36 | 1 | 37 | 301 | 16 | 317 | 117 | 17 | 184 | 418 | | |
| 6 16 years..... | 144 | 14 | 158 | 34 | 192 | 4 | 76 | 2 | 78 | 23 | 2 | 25 | 230 | 16 | 246 | 57 | 12 | 69 | 277 | 305 | | |
| 7 17 years..... | 27 | 5 | 32 | 6 | 38 | 3 | 4 | 10 | 32 | 2 | 34 | 8 | 39 | 7 | 46 | 14 | 4 | 18 | 73 | 84 | | |
| 8 18 years..... | 11 | 4 | 15 | 3 | 18 | 3 | 6 | 21 | 2 | 23 | 2 | 2 | 32 | 4 | 36 | 5 | 3 | 8 | 37 | 44 | | |
| 9 19 years..... | 4 | 4 | 8 | 3 | 11 | 1 | 2 | 2 | 2 | 4 | 2 | 6 | 6 | 1 | 7 | 2 | 1 | 1 | 6 | 17 | | |
| 10 20 or over..... | 3 | 3 | 6 | 1 | 10 | 1 | 4 | 1 | 4 | 1 | 7 | 2 | 9 | 1 | 10 | 2 | 2 | 9 | 9 | 17 | | |
| 11 Not classified..... | 14 | 14 | 28 | 13 | 41 | 84 | 97 | 15 | 2 | 17 | 19 | 2 | 21 | 29 | 2 | 31 | 32 | 86 | 118 | 206 | | |
| 12 Totals..... | 746 | 54 | 800 | 336 | 1,136 | 195 | 531 | 389 | 19 | 408 | 187 | 11 | 198 | 1,136 | 73 | 1,208 | 523 | 206 | 729 | 1,937 | | |

*1 Educated at home.

TABLE VI
GRADE ATTAINED IN SCHOOL BY 1,657 WOMEN WHOSE EDUCATION WAS FINISHED IN THE UNITED STATES

| I | II \| III \| IV \| V \| VI \| VII \| VIII \| IX \| X | | | | | | | | | |
|-------------------------------|--|-----------|-------|--------------|-----------|------|------------|-----------|-------|--|
| | NUMBER ATTAINING SPECIFIED GRADE IN— | | | | | | | | | |
| | New York City | | | Other cities | | | All cities | | | |
| | Stores | Factories | Both | Stores | Factories | Both | Stores | Factories | Both | |
| 1 4th or less..... | 6 | 29 | 35 | 2 | 11 | 13 | 8 | 40 | 48 | |
| 2 5th..... | 18 | 46 | 64 | 8 | 8 | 16 | 26 | 54 | 80 | |
| 3 6th..... | 64 | 73 | 137 | 16 | 18 | 34 | 80 | 91 | 171 | |
| 4 7th..... | 146 | 73 | 219 | 56 | 28 | 84 | 202 | 101 | 303 | |
| 5 8th..... | 165 | 43 | 208 | 116 | 29 | 145 | 281 | 72 | 353 | |
| 6 9th..... | ..... | ..... | ..... | 38 | 6 | 44 | 38 | 6 | 44 | |
| 7 10th..... | ..... | ..... | ..... | 4 | 2 | 6 | 4 | 2 | 6 | |
| 8 11th..... | ..... | ..... | ..... | 5 | ..... | 5 | ..... | ..... | 5 | |
| 9 Grammar graduate..... | 179 | 24 | 203 | 17 | 7 | 24 | 196 | 31 | 227 | |
| 10 High school, 1st year..... | 21 | 1 | 22 | 29 | 8 | 37 | 50 | 9 | 59 | |
| 11 High school, 2d year..... | 7 | ..... | 7 | 19 | 1 | 20 | 26 | 1 | 27 | |
| 12 High school, 3d year..... | 9 | ..... | 9 | 13 | 1 | 14 | 22 | 1 | 23 | |
| 13 High school, 4th year..... | ..... | ..... | ..... | 1 | ..... | 1 | 1 | ..... | 1 | |
| 14 High school graduate..... | 4 | 1 | 5 | 8 | 1 | 9 | 12 | 2 | 14 | |
| 15 Not classified..... | 127 | 46 | 173 | 57 | 66 | 123 | 184 | 112 | 296 | |
| 16 Totals..... | 746 | 336 | 1,082 | 389 | 186 | 575 | 1,135 | 522 | 1,657 | |

This low age of leaving school is really not very surprising. Fourteen is the normal age for grammar school graduation, but more important by far is the fact that fourteen is the legal age at which a child may leave school to work. Between fourteen and sixteen the law allows the child to work if certain physical and educational requirements can be met. Working certificates are not particularly difficult to obtain, and so it is to be expected that at present, as in the past, a great proportion should leave school at these ages.

Just as important as the age of leaving school is the grade to which the individuals have attained. Table VI shows how far those who finished their schooling in the United States had progressed. The table is a bit complex because in Buffalo and Syracuse there are eleven "grades" before the high school. The eighth grade, however, is in most instances the last in the grammar course. Doubtless a great many who report that they left school in the eighth grade could just as well claim to be graduates of the grammar school and so the distinction between those who left school in this grade and the grammar graduates must not be con-

sidered as rigidly drawn. An examination of this table confirms the conclusions drawn from its predecessor — only one in sixteen of the store women and one in one hundred of the factory people in New York City entered the high school. In the other cities one-fifth of the mercantile employees had entered high school and one-tenth of the factory women. Looking at the same problem from a different angle it is interesting to learn that nearly two-fifths of the women working in the New York City stores left school before they reached the eighth grade, and among the factory employees nearly three-fourths had ceased their schooling at this point. The reports from the other cities were of the same general character, but only one-quarter of the store women had left school before reaching the eighth grade and a little less than half of the factory women.

It appears, therefore, that the employees in the industries studied were women who had left school young and who, for the most part, had not advanced very far in their studies. Moreover, both as to age and as to grade attained, the employees in the stores had superior education to those in the factories, and the women, up-state were better equipped than those in New York City. The superiority of the up-state women in this respect was so marked that several of the field agents reported a noticeably better culture among them. They seemed to be on the whole much more refined than those in the big city. The reason for this difference probably lies in the fact that the up-state people were so largely of native stock. It is not implied that the native stock is necessarily superior to any other, but it is suggested that persons of the second American generation are better established in the community than more recent arrivals, and are therefore more in sympathy with the American culture and idealization of book learning, and, moreover, have the means to send their children to the schools for a longer time.

In connection with preceding discussion it may be well to note the reasons assigned by the women for abandoning school when they did. Table VII summarizes these reasons under six heads. A large number (about one-seventh) said that they quit going to school because they had graduated. "Graduated" in most cases meant that they had finished the grammar grades.

TABLE VII
REASONS ASSIGNED BY 1,937 WOMEN EMPLOYED IN STORES, AND IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY AND OTHER CITIES

| REASON ASSIGNED FOR LEAVING SCHOOL | | NUMBER LEAVING SCHOOL FOR SPECIFIED CAUSE | | | | Totals |
|------------------------------------|---|---|-----------|--------------|-----------|--------|
| | | New York City | | Other cities | | |
| | | Stores | Factories | Stores | Factories | |
| | | | | | | |
| 1 | Graduation..... | 112 | 16 | 77 | 6 | 211 |
| 2 | To work..... | 336 | 257 | 137 | 81 | 811 |
| 3 | Ill health..... | 48 | 3 | 35 | 16 | 102 |
| 4 | Death or disease in family..... | 36 | 40 | 28 | 16 | 120 |
| 5 | Dissatisfaction with school or teacher..... | 65 | 39 | 21 | 12 | 137 |
| 6 | Migration..... | 29 | 24 | 3 | 7 | 63 |
| 7 | No report or miscellaneous..... | 174 | 152 | 107 | 60 | 493 |
| 8 | Totals..... | 800 | 531 | 408 | 198 | 1,937 |

Now, such a graduation cannot be considered in any way a complete education. It simply means that the ambitions of a good many are limited by the grammar school diploma; they can see no reason for going farther. The high school may be in a different building or in a different section of the city, and therefore seems entirely outside the regular course of their progress. When they have finished the primary classes, they simply drop out of the educational system. The greatest number, fifty-six per cent. in fact, declared that they had left study in order to go to work. This reason was relatively more important among those employed in the factories than those employed in the stores, and more prominent in New York City than in the rest of the State. There can be no doubt that one explanation of this difference is that the foreign families among the factory people in New York City were more needy than the native families of store girls and the up-state girls. On the other hand, among the up-state people there seem to have been quite a number who left school nominally to work but who really had no valid reason. This is illustrated in the words of one who said, "other girls were working and so I wanted to", or of another who simply said that she "wanted to work". It, therefore, is apparent that not all of the 811 girls who quit school to enter industry were forced to do so. On the other hand, there were a great many cases of real need. Some of these were among those girls, about one-tenth of the total, who were

forced to drop their education because of death or illness in the family. Girl after girl reported that her mother had been taken sick and that she had had to go home and take care of the house, and, then, on the death of her mother, she went to work. Others, who had lost their fathers, had to assume at least part of the burden of caring for younger children, as well as the widowed mothers. Another reason assigned by a considerable proportion for leaving school was their own ill-health. A great many apparently were afflicted with some nervous disease, withdrew from school, and never went back. After a time they seem to have drifted into industry. There was another group, small in proportion to the others, who had left a foreign land to come to America or who had moved from one city to another, and, having broken off the habit of going to school, never renewed it. Of those who left school because of dissatisfaction, little can be said. Their ideas were, for the most part, rather vague. Some of them had grudges against the teacher, others seemed to have thought that they were wasting their time on unproductive labor, but the great majority seemed to have been incapable of any definite formulation of their discontent.

This classification of the reasons for leaving school, then, is not very satisfactory, because of the fact that so large a percentage of the women did not have well considered reasons for their action. The effect of an early leaving of school cannot be traced from the data gathered. A careful study of the reports from the employees of the New York City stores failed to reveal any relationship between the wages earned and the age at leaving school. There may have been a very slight positive connection between the wages and the grade attained, but even this relationship was doubtful. However, many tragedies might be related of those who were forced early to break off their training. For instance, one girl of German parentage had to leave school at the age of thirteen to help her sister support the mother just widowed, and now this girl at eighteen is earning six dollars per week as a "saleslady". Her sister in the same work receives six dollars and one uncle also contributes to the family income. Her mother and another uncle being out of work, make saving "impossible." Another left school at fourteen because her mother's illness de-

manded her presence in the home. On her father's death she went to work, and now, with two years' experience, at the age of twenty-three, she is earning \$5.50 per week selling leather goods. On this she is trying to support her mother. Last year she spent only \$17.60 for clothes as she had a good stock left from the days before her father's death. When she is out of work they draw on her father's life insurance. It is pathetic to hear her announce that she is going to try to save twenty-five cents per week. Still another, when she graduated from the grammar school at the age of fourteen, had to help a semi-invalid mother about the house. Now, after seven years, she is working for \$5.50 a week and turning in her entire wage to the family treasury. But not all do quite so badly. One who had to work at the death of her father, left school at fourteen while in the eighth grade. At twenty-one she earns twelve dollars per week, but turns in all to the family treasury. She has nothing to spend for her own pleasure except dues of thirty cents a month to a recreation center, and even has to do her own laundry, for two sisters must be kept in school by the earnings of herself, her mother and a young brother. Not one that left school because of illness or sickness in her family is earning as much as \$14.00 per week.

But the pathos is not limited to those whose education was interrupted by death or illness. For instance one who left the eighth grade at the age of fourteen because she wanted to work so that she might dress herself is now, four years later, earning \$6.50 weekly. She turns over her entire wages to her mother, not spending anything herself but five cents a week contributed to a mutual benefit society. Her ambition to dress herself can hardly be classed with the motive called "desire to earn pin money," as she and a fourteen-year-old brother who runs errands at four dollars a week are the only wage-earners in a family of eight, her oldest brother, having been idle for eight months. Another left school at fifteen for "no reason at all." Now she is twenty-one. Having served her present employer four years, she is making \$6.75 a week. Her younger sister earns six dollars and together they support a mother and a brother of twelve. These are cases chosen at random to illustrate, not to prove, the fact that the best

and the worst reasons for leaving school may be given, but that the tragedy may follow just the same.

These women, in short, have left school very close to the lowest legal age at low grades. They have left very largely either because school was irksome, because it seemed useless to go on, or because direct economic pressure forced them to find work. The misfortune of an education curtailed has frequently been accompanied by the misfortune of excessive family burdens and low earnings.

CONJUGAL CONDITIONS

Traditionally the greatest event in the life of a woman is her marriage. A glance at Table VIII will show that by far the greatest number of the women studied in this investigation are single. These unmarried women, indeed, are nine-tenths of the whole. A larger proportion of those employed in the factories had been married than of those working in the stores. But where so few had taken this step it is rather dangerous to compare the different occupations. Examining the table, then, as a whole, it appears that the married women in industry had largely been forced to earn wages. For of the 189 who had married, seventy-five were widows and nineteen had been separated from their husbands. Twenty-seven others, who had been married gave no information, as to whether their husbands were living or dead. It may be safe to infer that a large proportion of these were not living with their husbands, as, had they been doing so, the other questions on the cards should have elicited the fact. One other thing, that should be mentioned in connection with this subject, is the youth of many of the women who had been separated. A very large proportion of them, all of those in fact who are employed in the New York City department stores, were under thirty-nine years of age, and some were below twenty. The conclusion then is that in the majority of instances the women engaged in industry are either single or those whose married life has been accompanied by some misfortune. For instance one might mention the case of a Mrs. W—, who lived in Schenectady. She had left her work as a school teacher to marry a draughtsman. He, however, had contracted tuberculosis and had resigned a good position to go west and recover. On the promise of rein-

statement at his old work, he returned to Schenectady, only to find business in such a state that he can barely pick up two or three dollars a week. This forced his wife to become a saleswoman in one of the department stores. Her prospect is much better than that of many another who might be mentioned. For instance, a Mrs. S— was very well cared for during her married life in Pittsburg. After her husband's death she kept boarders with great success; but during a recent period of depression the mills ran part time, and the men who were her guests had to leave, because they could not pay board. She found a place as a saleswoman at seven dollars a week in Buffalo. She is managing to make both ends meet simply because she has a stock of clothes left from the old boarding house days and does not have to purchase any wearing apparel. The blackness of her outlook is expressed in her wonder as to what she can do when her clothes wear out. Instances of this kind could be multiplied easily, but enough has been said to show how it may happen that women who have been married are forced to take up wage-earning.

TABLE VIII
CONJUGAL CONDITION OF 1,937 WOMEN EMPLOYED IN STORES, AND CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY AND OTHER CITIES

| I CONJUGAL CONDITION | | II \| III \| IV \| V | | | | VI |
|-----------------------------|--|--|-----------|--------------|-----------|--------|
| | | NUMBER OF SPECIFIED CONJUGAL CONDITION IN — | | | | Totals |
| | | New York City | | Other cities | | |
| | | Stores | Factories | Stores | Factories | |
| 1 | Never married | 728 | 463 | 361 | 162 | 1,714 |
| 2 | Once married, living with husband. | 9 | 30 | 16 | 13 | 68 |
| 3 | Once married, separated from living husband | 6 | 5 | 5 | 3 | 19 |
| 4 | Widowed | 34 | 11 | 15 | 15 | 75 |
| 5 | Once married, no information as to husband | 16 | 8 | 1 | 2 | 27 |
| 6 | Total once married | 65 | 54 | 37 | 33 | 189 |
| 7 | No report | 7 | 14 | 10 | 3 | 34 |
| 8 | Totals | 800 | 531 | 408 | 198 | 1,937 |

DOMICILE

Next in interest to the question of whether women are married or single, is the place where they live. Table IX has been prepared to show the homes of these women. Those who lived with

their parents or with one parent with whom they kept house and those who lived with orphan brothers or sisters but still maintained a household economy, were classified as living at home. If a girl or woman resided with a married sister, a married brother, an aunt or some other relative, she was counted among those who lived with relatives. A few, only two per cent. of the entire number, lived with friends, and a considerable proportion, approximately one-seventh, are put down as living independently. This means that the woman was rooming with strangers or that she lived perhaps with her father or, more probably, with a sister in a boarding house, or in rooms, but that she maintained nothing approaching a family life. Inspection of the table will show that almost two-thirds of the women live at home. Most of these were in homes in which there was a man at work for wages, but approximately one-fifth of those who lived at home were in households which altogether lacked the natural support of a male over eighteen years of age. For the women who work in the New York City stores it was found that those living in homes having men contributors to the family income, earn but \$7.16 per week on the average, whereas those who live in the homes lacking this support earned more, \$7.91. Those who lived independently were earning \$9.52 a week. The conclusion to be drawn is that there was a slight increase in the wages with the increase in burden. One explanation of this greater wage of those living independently is their greater age; that is, it seems as if, on the whole, the chance of a woman being entirely thrown upon her own resources grows greater as she grows older. No material has been adduced to prove this point, but it can be said that the age of the store employees in New York is greater for those living independently than for those living with relatives, and greater for these than for those living at home. So age is undoubtedly a factor in this increase of earnings with the increase of burden.*

Another reason for the greater earnings of the women living independently is probably to be found by putting the matter in converse form. That is, the higher earnings a woman enjoyed

* The percentage of women over twenty-nine years of age among those residing at home was 11.3, among those residing with relatives 22.3, and among those living independently 30.4. The percentage of women over 24 years of age among those residing at home was 24.6, among those residing with relatives 34.7, and among those living independently 53.

the more apt would she be to cut loose from home if home did not suit her. In other words, the more she earns the better are her prospects if she starts out for herself. In conclusion, then, it may be said that approximately two-thirds of the employed women live in their natural home, and approximately four-fifths live either in their home or with relatives. The remainder, a small number comparatively, find shelter with their friends or seek a lodging place with strangers.

SIZE OF FAMILIES

The fact that so many of these women live at home, raises the question as to what sort of homes they come from. Table X shows two classes of facts: first, the number in a family, and second, the number of members of a family who are working for wages. There is a remarkable similarity between the composition of the families of different groups of women. Among the girls working for the stores in New York City, the average size of the family was 5.07 and the average number of wage-earners per family 2.98.

So the average family seems to be about five and the average number of wage earners per family just about three. This was true for each of the groups studied; although the families of the New York City factory workers were slightly larger than the others, this can probably be accounted for by the greater proportion of foreign persons in this group. The table further reveals that the greater number of the families are composed of three, four, five or six persons. This is a very interesting fact in view of the frequent assertions by social workers that the family of five is a myth. In two of the four groups there are more families of five than of any other number, and in one of the others, families of five are as numerous as those of any other size; while in the fourth group the family of four is represented by only four more cases out of 206 than is the family of five. Still another point in Table X demands attention. A cursory examination will show that as the size of the family increases the number of wage-earners in that family also increases. Of course this statement should not be construed as meaning that every family of five has more wage-earners than every family of three or four.

The fact seems to be that the more numerous the household the heavier are its financial burdens and the greater is the consequent necessity of placing every available member in the ranks of productive workers. Moreover, in the large households it would seem *a priori* that there is a greater probability of children having reached the legal working age than in the smaller families. For these two reasons it is easy to understand the previous generalization that there is a tendency of the larger families to send a larger number of persons to work.

TABLE IX
DOMICILE OF 1,937, WOMEN EMPLOYED IN STORES, AND CANDY, PAPER-BOX, AND SHIRT
FACORIES IN NEW YORK AND IN OTHER CITIES.

| I | | II | III | IV | V | VI |
|--------------------|---|-----------------------------------|-----------|--------------|-----------|--------|
| PLACE OF RESIDENCE | | NUMBER OF SPECIFIED DOMICILE IN — | | | | Totals |
| | | New York City | | Other cities | | |
| | | Stores | Factories | Stores | Factories | |
| 1 | At home, male wage earners of 18 years or over..... | 416 | 310 | 203 | 81 | 1,010 |
| 2 | Total at home..... | 533 | 339 | 248 | 116 | 1,236 |
| 3 | With relatives..... | 126 | 113 | 80 | 30 | 349 |
| 4 | With friends..... | 14 | 4 | 12 | 8 | 38 |
| 5 | Independent..... | 125 | 42 | 68 | 44 | 279 |
| 6 | Not reported..... | 2 | 33 | ..... | ..... | 35 |
| 7 | Totals..... | 800 | 531 | 408 | 198 | 1,937 |

TABLE X
SIZES OF FAMILIES OF 1,248 WOMEN LIVING AT HOME BY NUMBER OF WAGE EARNERS IN FAMILY
A. NEW YORK CITY STORES

| I | | II | III | IV | V | VI | VII | VIII | IX | X |
|-----------------------------|-------------------|------------------------|-------|-------|-------|-------|-------|-------|-------|--------|
| NUMBER OF PERSONS IN FAMILY | | NUMBER OF WAGE-EARNERS | | | | | | | | Totals |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | N. R. | |
| 1 | 2..... | 22 | 13 | ..... | ..... | ..... | ..... | ..... | 1 | 36 |
| 2 | 3..... | 9 | 60 | 12 | ..... | ..... | ..... | ..... | 5 | 86 |
| 3 | 4..... | 3 | 35 | 56 | 8 | ..... | ..... | ..... | 3 | 105 |
| 4 | 5..... | 2 | 13 | 53 | 30 | 3 | ..... | ..... | ..... | 101 |
| 5 | 6..... | ..... | 18 | 25 | 24 | 9 | ..... | ..... | ..... | 76 |
| 6 | 7..... | ..... | 7 | 9 | 18 | 8 | 3 | ..... | ..... | 45 |
| 7 | 8..... | ..... | 5 | 8 | 13 | 6 | 1 | ..... | 2 | 35 |
| 8 | 9..... | ..... | 2 | 4 | 5 | 3 | 4 | 4 | ..... | 22 |
| 9 | 10..... | ..... | ..... | 1 | 3 | 3 | 1 | ..... | ..... | 8 |
| 10 | 11..... | ..... | ..... | ..... | 2 | ..... | ..... | 1 | ..... | 3 |
| 11 | 12..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | 1 |
| 12 | Not reported..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 15 | 15 |
| 13 | Totals..... | 36 | 153 | 169 | 103 | 32 | 9 | 5 | 26 | 533 |

C. UP-STATE STORES

| I | | II | III | IV | V | VI | VII | VIII | IX | X |
|-----------------------------|-------------------|------------------------|-------|-------|-------|-------|-------|-------|-------|--------|
| NUMBER OF PERSONS IN FAMILY | | NUMBER OF WAGE-EARNERS | | | | | | | | Totals |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | N. R. | |
| 1 | 2..... | 8 | 10 | ..... | ..... | ..... | ..... | ..... | ..... | 18 |
| 2 | 3..... | 5 | 27 | 7 | ..... | ..... | ..... | ..... | ..... | 39 |
| 3 | 4..... | 2 | 17 | 12 | 4 | ..... | ..... | ..... | ..... | 35 |
| 4 | 5..... | 1 | 17 | 26 | 9 | 1 | ..... | ..... | ..... | 54 |
| 5 | 6..... | 2 | 9 | 5 | 11 | 3 | 2 | ..... | ..... | 32 |
| 6 | 7..... | ..... | 5 | 8 | 7 | 3 | 2 | ..... | ..... | 25 |
| 7 | 8..... | ..... | ..... | 3 | 6 | ..... | 4 | ..... | ..... | 13 |
| 8 | 9..... | 1 | ..... | 1 | 3 | 1 | ..... | ..... | ..... | 6 |
| 9 | 10..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | ..... | 3 |
| 10 | 11..... | ..... | ..... | ..... | ..... | 3 | ..... | ..... | ..... | 4 |
| 11 | 12..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | ..... | 2 |
| 12 | Not reported..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 17 | 17 |
| 13 | Totals..... | 19 | 85 | 62 | 40 | 12 | 10 | 3 | 17 | 248 |

B. NEW YORK CITY FACTORIES

| I | | II | III | IV | V | VI | VII | VIII | IX | X |
|-----------------------------|-------------------|------------------------|-------|-------|-------|-------|-------|-------|-------|-------|
| NUMBER OF PERSONS IN FAMILY | | NUMBER OF WAGE-EARNERS | | | | | | | | Total |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | N. R. | |
| 1 | 2..... | 12 | 15 | ..... | ..... | ..... | ..... | ..... | ..... | 27 |
| 2 | 3..... | 6 | 25 | 6 | ..... | ..... | ..... | ..... | ..... | 37 |
| 3 | 4..... | 4 | 27 | 25 | 4 | ..... | ..... | ..... | ..... | 60 |
| 4 | 5..... | 1 | 14 | 26 | 22 | ..... | ..... | ..... | ..... | 63 |
| 5 | 6..... | 1 | 18 | 17 | 12 | 4 | ..... | ..... | ..... | 52 |
| 6 | 7..... | ..... | 9 | 10 | 3 | 7 | 1 | ..... | ..... | 30 |
| 7 | 8..... | 1 | 7 | 11 | 8 | 3 | 1 | ..... | ..... | 31 |
| 8 | 9..... | ..... | 7 | 5 | 2 | 4 | 1 | ..... | ..... | 19 |
| 9 | 10..... | 1 | 2 | 4 | 4 | ..... | ..... | ..... | ..... | 11 |
| 10 | 11..... | ..... | 1 | 1 | 2 | 2 | 1 | ..... | ..... | 7 |
| 11 | 12..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | 2 |
| 12 | Not reported..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 13 | Total..... | 26 | 125 | 106 | 57 | 20 | 5 | ..... | ..... | 339 |

D. UP-STATE FACTORIES

| I | | II | III | IV | V | VI | VII | VIII | IX | X |
|-----------------------------|-------------------|------------------------|-------|-------|-------|-------|-------|-------|-------|--------|
| NUMBER OF PERSONS IN FAMILY | | NUMBER OF WAGE-EARNERS | | | | | | | | Totals |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | N. R. | |
| 1 | 2..... | 6 | 8 | ..... | ..... | ..... | ..... | ..... | ..... | 14 |
| 2 | 3..... | 2 | 10 | 5 | ..... | ..... | ..... | ..... | ..... | 17 |
| 3 | 4..... | 2 | 7 | 8 | ..... | ..... | ..... | ..... | ..... | 17 |
| 4 | 5..... | 1 | 4 | 10 | 2 | ..... | ..... | ..... | ..... | 17 |
| 5 | 6..... | 1 | 1 | 7 | 2 | 2 | ..... | ..... | ..... | 13 |
| 6 | 7..... | ..... | 1 | 3 | 2 | 1 | ..... | ..... | ..... | 7 |
| 7 | 8..... | ..... | 3 | 2 | 4 | 1 | ..... | ..... | ..... | 10 |
| 8 | 9..... | ..... | ..... | 1 | 1 | ..... | ..... | ..... | ..... | 2 |
| 9 | 10..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 1 |
| 10 | 11..... | ..... | ..... | 1 | 1 | ..... | 1 | ..... | ..... | 3 |
| 11 | 12..... | ..... | ..... | 1 | ..... | 1 | 1 | 1 | ..... | 4 |
| 12 | Not reported..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 11 | 11 |
| 13 | Totals..... | 12 | 35 | 38 | 12 | 5 | 2 | 1 | 11 | 116 |

E. AVERAGES

| | Table A | Table B | Table C | Table D |
|---|---------|---------|---------|---------|
| Average size of family..... | 5.07 | 5.52 | 5.12 | 5.24 |
| Average number of wage-earners in family..... | 2.89 | 2.81 | 2.92 | 2.77 |

Finally, from Table X it is possible to draw this rather significant fact; ninety-three women were the sole support of their families; forty-five bore the entire burden of the maintenance of two or more individuals in addition to themselves. Frequently these others were children, as in the case of Mrs. T.— who has two boys, aged thirteen and eleven respectively, entirely dependent on her for their support. Her boys, however, are enterprising lads and run errands for the neighbors, earning thus about two dollars a week to eke out the varying wages of their mother. Another woman, Mrs. X.—, also a widow, has a child of four and another about a year older, whom she leaves with an acquaintance. This lady cares for the two children, during the time their mother is at work, for the small sum of fifty cents a week. This table, therefore, sheds some light on the character of the homes of the women studied. It has shown that the traditional family of five is actually realized in many cases. It has shown that the number of wage earners in a family is apt to be larger if the family is large than if the household is small, and, finally, it has shown that a considerable portion of the women are heads of households, the maintenance of which is a real burden to them.

BURDEN OF SUPPORT

Additional light is thrown upon the subject just under discussion by the facts recorded in Table XI. Of the 1,929 women, 1,207 or sixty-two per cent. claimed to be entirely self-supporting. Of these, five hundred had no other responsibility than their own maintenance; but nearly as many, 449, not quite a quarter of all the women interviewed, declared that they were obliged to contribute to the support of relatives. There were others, 127 in number, who made contributions to their families although that did not necessarily imply that they were supporting others. So

it can fairly be inferred that approximately a quarter of the women who contributed to the data now under analysis, were actually helping in the maintenance of at least one other person. There was a larger proportion of the workers in the New York City factories who were thus burdened than of the store employees. Just why this was the case it is difficult to say. It may be suggested, however, that the difference in race accounts for the phenomenon; in others words, that among the foreign born the standards of living are lower than among the native born. A girl earning \$6 a week might be able to support herself and aid others if living under Russian, Polish, or Italian standards, whereas this would be impossible were she of American, German, or Irish descent. Some of the burdens placed upon these women are, as was shown in discussion of Table X, extremely heavy. Mrs. G.—, for instance, is a worker in a paper box factory in Albany; her wages vary from \$4.50 to \$8.25 a week, averaging, in her estimation, about \$7.50. She is fortunate enough to be able to live with her aunt, who accepts \$5 per week as payment for the board not only of Mrs. G.— but also of her six year old son. Mrs. G.— probably could not get along were it not for the fact that her aunt frequently presents her with clothes for herself and the child. Formerly she had to help her husband, who is in a State institution being treated for tuberculosis. Even with this burden lifted her task is hard enough. Another woman, Mrs. K.—, earns about \$10 a week, on which she supports an invalid father and an aged mother as well as her two children of seven and twelve years. She is forced to draw upon the meagre savings left by her dead husband. Another woman, an Italian, was left by her husband when he fled after knifing a man. That her "fadder" cruelly abuses her children, is her greatest sorrow. "Sometimes," she says, "I cry so much I get skinny."

But the support of others is not imposed on widows and married women alone. Bertha B.— in New York City from her \$8 a week sends money to her widowed mother in Roumania; and Annie, a buxom lass from Pennsylvania, managed for some time to mail regularly from New York to her old home two dollars a week from a seven dollar wage. She couldn't keep this up after it became necessary to buy clothing. It is needless to mul-

tively illustrations of this character. The point is perfectly clear. Burdens obviously far beyond the economic power of many women and girls are thrust upon them.

There is no significant variation in the proportion of self-supporting people in the different groups. Whereas over two-thirds of the women in the factories and stores of New York City and in the factories up-state are self-supporting, over half of the up-state store girls are assisted. The reason for this difference is found largely in the fact that up-state the investigators confined their attention principally to women of low earning capacity.

In connection with this matter of the burden of support, one other thing should be noticed, namely, the relation of the capacity for bearing burdens to wages. A study of the table, in its different sections, will reveal the fact that a very small number who were earning as much as \$8 had to be assisted in their support. In fact only fifty-one who were earning as much as \$8 were obliged to admit that they did not entirely pay their own expenses. Approaching this subject from a slightly different point of view, additional light may be thrown on the matter when it is stated that the average earnings of the women who admitted receiving assistance was \$4.93 among the New York City factory workers and \$5.90 among the store employees, whereas those who were self-supporting but had no additional burdens, earned weekly an average of \$6.87 in the factories, and \$8.77 in the stores of that city. Moreover, in the factories, those who were contributing to the support of others earned even more (\$7.69) than those who merely provided their own maintenance. The same cannot be said, however, of any other group. It is, therefore, apparent that inability to maintain one's self is very frequently the result of a very low wage. That is not always the case, for one young lady in Albany who was receiving approximately \$14 was frequently subsidized by her brother. Her's is not a typical case. More common is the story of Miss Margaret N., of Troy who earns approximately \$8 a week in a department store. Out of that she has to pay \$4.50 for her room and board. Were it not for the fact that she can go home during the slack season and live without expense on her father's farm, she declares she could not make both ends meet. Another bright and intelligent young girl, Clara,

an employee of a Buffalo store, earns but \$6 a week, although she is eighteen years of age. She manages to exist by sharing a room with her sister who is a trained nurse. Whenever her sister is "on a case" she fares pretty well, but at other times she is frequently compelled to subsist largely on bread and milk, and the simple sandwiches which they can prepare in their own room. What spending money Clara has comes to her when her sister has just been paid off. Perhaps another illustration is permissible. Miss Evelyn S., a stock-girl in one of the best of the Albany department stores, earns, at the age of nineteen, \$4 a week. Three-quarters of this goes to her landlady for her board and room. She could never clothe herself were it not for the fact that her landlady has two daughters who give her their old garments. Her state is not very surprising in view of the fact that she left school at eighteen, having gone no further than the fifth grade. Many more instances of this sort might easily be cited, but one more of a rather different type will suffice. Ina L., also of Albany, a young lady of twenty-two who earns \$7 a week, would probably claim to be self-supporting, but one can hardly admit such an assertion. She lives in an apartment with her sister and recently she was sick for four months. This illness has caused her to run up bills of over \$140 in addition to what she owes her sister for her maintenance during the period that she could not work. This case illustrates the fact that, although a girl may ordinarily be able to live on the very low wages which she receives, yet in times of illness she will be thrown so far behind that she can never again climb out of debt. The conclusion, then, to be drawn from data in Table XI is that a large proportion of the women, many even among those who are earning very little, are aiding in the support of others; while about one-third of the women, over nine-tenths of whom are earning less than \$8 a week, have to acknowledge that they do not support themselves.

TABLE XI
BURDEN OF SUPPORT ON 1,929 WOMEN BY WEEKLY EARNINGS
A. NEW YORK STORES

| I | | | | | | | | | | | | | | | | | | | XVIII | XIX |
|--------------|---|-------|-------|-------|-----|-----|-----|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------------|------------------|
| WEEKLY WAGES | | | | | | | | | | | | | | | | | | | Totals | Average earnings |
| | | | | | | | | | | | | | | | | | | | \$20 or over | |
| | | | | | | | | | | | | | | | | | | | \$18 | |
| | | | | | | | | | | | | | | | | | | | \$15 | |
| | | | | | | | | | | | | | | | | | | | \$14 | |
| | | | | | | | | | | | | | | | | | | | \$13 | |
| | | | | | | | | | | | | | | | | | | | \$12 | |
| | | | | | | | | | | | | | | | | | | | \$11 | |
| | | | | | | | | | | | | | | | | | | | \$10 | |
| | | | | | | | | | | | | | | | | | | | \$9 | |
| | | | | | | | | | | | | | | | | | | | \$8 | |
| | | | | | | | | | | | | | | | | | | | \$7 | |
| | | | | | | | | | | | | | | | | | | | \$6 | |
| | | | | | | | | | | | | | | | | | | | \$5 | |
| | | | | | | | | | | | | | | | | | | | \$4 | |
| | | | | | | | | | | | | | | | | | | | \$3 | |
| | | | | | | | | | | | | | | | | | | | Under \$3 | |
| | | | | | | | | | | | | | | | | | | | \$3.99 | |
| | | | | | | | | | | | | | | | | | | | \$4.99 | |
| | | | | | | | | | | | | | | | | | | | \$5.99 | |
| | | | | | | | | | | | | | | | | | | | \$6.99 | |
| | | | | | | | | | | | | | | | | | | | \$7.99 | |
| | | | | | | | | | | | | | | | | | | | \$8.99 | |
| | | | | | | | | | | | | | | | | | | | \$9.99 | |
| | | | | | | | | | | | | | | | | | | | \$10.99 | |
| | | | | | | | | | | | | | | | | | | | \$11.99 | |
| | | | | | | | | | | | | | | | | | | | \$12.99 | |
| | | | | | | | | | | | | | | | | | | | \$13.99 | |
| | | | | | | | | | | | | | | | | | | | \$14.99 | |
| | | | | | | | | | | | | | | | | | | | \$15.99 | |
| | | | | | | | | | | | | | | | | | | | \$16.99 | |
| | | | | | | | | | | | | | | | | | | | \$17.99 | |
| | | | | | | | | | | | | | | | | | | | \$18.99 | |
| | | | | | | | | | | | | | | | | | | | \$19.99 | |
| | | | | | | | | | | | | | | | | | | | \$20 or over | |
| 1 | Assisted..... | 10 | 53 | 42 | 69 | 28 | 20 | 7 | 2 | ..... | 9 | 13 | 1 | 7 | 11 | 2 | 3 | 224 | \$5.90 | |
| 2 | Self-supporting, not helping others..... | ..... | 1 | 6 | 18 | 27 | 42 | 40 | 34 | 27 | 19 | 12 | 4 | 5 | 4 | ..... | ..... | 241 | 8.77 | |
| 3 | Self-supporting, helping others..... | ..... | ..... | 3 | 12 | 25 | 42 | 40 | 26 | 19 | 12 | 8 | 4 | 5 | 4 | ..... | ..... | 200 | 8.47 | |
| 4 | Self-supporting, not reported whether helping others..... | ..... | ..... | 1 | 1 | 5 | 4 | 3 | 2 | 2 | ..... | 1 | ..... | ..... | 3 | ..... | ..... | 22 | 8.60 | |
| 5 | Self-supporting, not reported whether helping others, but contributing to family..... | ..... | 1 | 5 | 6 | 16 | 13 | 3 | 5 | 3 | 2 | ..... | ..... | ..... | ..... | ..... | ..... | 55 | 7.73 | |
| 6 | Not reported whether self-supporting, but contributing to family..... | ..... | ..... | 4 | 4 | 8 | 7 | 1 | 1 | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 26 | 7.56 | |
| 7 | Not otherwise reported..... | ..... | ..... | ..... | 2 | 5 | 4 | ..... | ..... | 1 | 1 | 1 | 1 | 1 | 2 | ..... | ..... | 18 | 9.56 | |
| | Totals..... | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 22 | 2 | 3 | 796 | \$7.77 | | |

B. NEW YORK FACTORIES

| B. NEW YORK FACTORIES | | | | | | | | | | | | | | | | | | | | |
|-----------------------|---|--------------|-------|-------|-----|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------------|
| I | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | |
| BURDEN OF SUPPORT | | WEEKLY WAGES | | | | | | | | | | | | | | | | | | |
| | | Under \$3 | \$3 | \$4 | \$5 | \$6 | \$7 | \$8 | \$9 | \$10 | \$11 | \$12 | \$13 | \$14 | \$15 | \$16 | \$17 | \$18 | \$19 | \$20 or over |
| 1 | Assisted..... | 5 | 14 | 28 | 45 | 27 | 5 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 124 |
| 2 | Self-supporting, not helping others..... | 2 | 5 | 9 | 35 | 44 | 27 | 19 | 21 | 11 | 3 | 2 | 2 | 2 | ..... | ..... | ..... | ..... | ..... | 183 |
| 3 | Self-supporting, helping others..... | 1 | 5 | 6 | 19 | 26 | 43 | 28 | 26 | 15 | 6 | 3 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 178 |
| 4 | Self-supporting, not reported whether helping others..... | ..... | ..... | ..... | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 2 |
| 5 | Self-supporting, not reported whether helping others, but contributing to family..... | ..... | ..... | 2 | 3 | 6 | 4 | 2 | 3 | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 22 |
| 6 | Not reporting whether self-supporting, but contributing to family..... | 1 | 1 | 4 | 9 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 15 |
| 7 | Not otherwise reported..... | 1 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 3 |
| 8 | Totals..... | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | ..... | ..... | ..... | ..... | ..... | 527 |
| | | | | | | | | | | | | | | | | | | | | \$6.62 |

APPENDIX VII—COST OF LIVING

| I | | C. UP-STATE STORES | | | | | | | | | | | | | | | | XVIII | XIX |
|------------------|--|--------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------|--------|------------------|
| | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | | |
| BUDEN OF SUPPORT | | WEEKLY WAGES | | | | | | | | | | | | | | | | Totals | Average earnings |
| | | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$17.99 | \$18 to \$19.99 | \$20 or over | | |
| 9 | Assisted..... | 1 | 19 | 26 | 47 | 80 | 32 | 6 | 1 | .... | .... | .... | .... | .... | .... | .... | .... | 212 | \$5.34 |
| 10 | Self-supporting not helping others..... | .... | 2 | 2 | 9 | 5 | 9 | 6 | 2 | 1 | .... | .... | .... | .... | .... | .... | .... | 41 | 8.64 |
| 11 | Self-supporting helping others..... | 1 | .... | 1 | 1 | 8 | 4 | 4 | 6 | 4 | .... | .... | .... | .... | .... | .... | .... | 29 | 7.48 |
| 12 | Self-supporting not reported whether helping others..... | .... | .... | .... | 1 | 26 | 35 | 8 | 2 | .... | .... | 2 | .... | .... | .... | .... | .... | 74 | 7.77 |
| 13 | Self-supporting not reported whether helping others, but contributing to family..... | .... | .... | .... | 1 | 6 | 14 | 6 | 2 | .... | .... | .... | .... | .... | .... | .... | .... | 29 | 6.27 |
| 14 | Not reported whether self-supporting but contributing to family..... | .... | 3 | 4 | 5 | 4 | 2 | 1 | .... | .... | .... | .... | .... | .... | .... | .... | .... | 11 | 6.35 |
| 15 | Not otherwise reported..... | .... | .... | .... | .... | 2 | 1 | 1 | .... | .... | .... | .... | .... | .... | .... | .... | .... | 4 | 5.00 |
| 16 | Totals..... | 2 | 24 | 33 | 64 | 131 | 97 | 32 | 13 | 6 | 1 | 3 | 2 | | | | | 408 | \$6.18 |

| I | | D. UP-STATE FACTORIES | | | | | | | | | | | | | | | | XVIII | XIX | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|------------------|--|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------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------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BUDEN OF SUPPORT | | WEEKLY WAGES | | | | | | | | | | | | | | | | | | Totals | Average earnings | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | \$19 to \$19.99 | | | \$20 to \$20.99 | \$21 to \$21.99 | \$22 to \$22.99 | \$23 to \$23.99 | \$24 to \$24.99 | \$25 to \$25.99 | \$26 to \$26.99 | \$27 to \$27.99 | \$28 to \$28.99 | \$29 to \$29.99 | \$30 to \$30.99 | \$31 to \$31.99 | \$32 to \$32.99 | \$33 to \$33.99 | \$34 to \$34.99 | \$35 to \$35.99 | \$36 to \$36.99 | \$37 to \$37.99 | \$38 to \$38.99 | \$39 to \$39.99 | \$40 to \$40.99 | \$41 to \$41.99 | \$42 to \$42.99 | \$43 to \$43.99 | \$44 to \$44.99 | \$45 to \$45.99 | \$46 to \$46.99 | \$47 to \$47.99 | \$48 to \$48.99 | \$49 to \$49.99 | \$50 to \$50.99 | \$51 to \$51.99 | \$52 to \$52.99 | \$53 to \$53.99 | \$54 to \$54.99 | \$55 to \$55.99 | \$56 to \$56.99 | \$57 to \$57.99 | \$58 to \$58.99 | \$59 to \$59.99 | \$60 to \$60.99 | \$61 to \$61.99 | \$62 to \$62.99 | \$63 to \$63.99 | \$64 to \$64.99 | \$65 to \$65.99 | \$66 to \$66.99 | \$67 to \$67.99 | \$68 to \$68.99 | \$69 to \$69.99 | \$70 to \$70.99 | \$71 to \$71.99 | \$72 to \$72.99 | \$73 to \$73.99 | \$74 to \$74.99 | \$75 to \$75.99 | \$76 to \$76.99 | \$77 to \$77.99 | \$78 to \$78.99 | \$79 to \$79.99 | \$80 to \$80.99 | \$81 to \$81.99 | \$82 to \$82.99 | \$83 to \$83.99 | \$84 to \$84.99 | \$85 to \$85.99 | \$86 to \$86.99 | \$87 to \$87.99 | \$88 to \$88.99 | \$89 to \$89.99 | \$90 to \$90.99 | \$91 to \$91.99 | \$92 to \$92.99 | \$93 to \$93.99 | \$94 to \$94.99 | \$95 to \$95.99 | \$96 to \$96.99 | \$97 to \$97.99 | \$98 to \$98.99 | \$99 to \$99.99 | \$100 to \$100.99 | \$101 to \$101.99 | \$102 to \$102.99 | \$103 to \$103.99 | \$104 to \$104.99 | \$105 to \$105.99 | \$106 to \$106.99 | \$107 to \$107.99 | \$108 to \$108.99 | \$109 to \$109.99 | \$110 to \$110.99 | \$111 to \$111.99 | \$112 to \$112.99 | \$113 to \$113.99 | \$114 to \$114.99 | \$115 to \$115.99 | \$116 to \$116.99 | \$117 to \$117.99 | \$118 to \$118.99 | \$119 to \$119.99 | \$120 to \$120.99 | \$121 to \$121.99 | \$122 to \$122.99 | \$123 to \$123.99 | \$124 to \$124.99 | \$125 to \$125.99 | \$126 to \$126.99 | \$127 to \$127.99 | \$128 to \$128.99 | \$129 to \$129.99 | \$130 to \$130.99 | \$131 to \$131.99 | \$132 to \$132.99 | \$133 to \$133.99 | \$134 to \$134.99 | \$135 to \$135.99 | \$136 to \$136.99 | \$137 to \$137.99 | \$138 to \$138.99 | \$139 to \$139.99 | \$140 to \$140.99 | \$141 to \$141.99 | \$142 to \$142.99 | \$143 to \$143.99 | \$144 to \$144.99 | \$145 to \$145.99 | \$146 to \$146.99 | \$147 to \$147.99 | \$148 to \$148.99 | \$149 to \$149.99 | \$150 to \$150.99 | \$151 to \$151.99 | \$152 to \$152.99 | \$153 to \$153.99 | \$154 to \$154.99 | \$155 to \$155.99 | \$156 to \$156.99 | \$157 to \$157.99 | \$158 to \$158.99 | \$159 to \$159.99 | \$160 to \$160.99 | \$161 to \$161.99 | \$162 to \$162.99 | \$163 to \$163.99 | \$164 to \$164.99 | \$165 to \$165.99 | \$166 to \$166.99 | \$167 to \$167.99 | \$168 to \$168.99 | \$169 to \$169.99 | \$170 to \$170.99 | \$171 to \$171.99 | \$172 to \$172.99 | \$173 to \$173.99 | \$174 to \$174.99 | \$175 to \$175.99 | \$176 to \$176.99 | \$177 to \$177.99 | \$178 to \$178.99 | \$179 to \$179.99 | \$180 to \$180.99 | \$181 to \$181.99 | \$182 to \$182.99 | \$183 to \$183.99 | \$184 to \$184.99 | \$185 to \$185.99 | \$186 to \$186.99 | \$187 to \$187.99 | \$188 to \$188.99 | \$189 to \$189.99 | \$190 to \$190.99 | \$191 to \$191.99 | \$192 to \$192.99 | \$193 to \$193.99 | \$194 to \$194.99 | \$195 to \$195.99 | \$196 to \$196.99 | \$197 to \$197.99 | \$198 to \$198.99 | \$199 to \$199.99 | \$200 to \$200.99 | \$201 to \$201.99 | \$202 to \$202.99 | \$203 to \$203.99 | \$204 to \$204.99 | \$205 to \$205.99 | \$206 to \$206.99 | \$207 to \$207.99 | \$208 to \$208.99 | \$209 to \$209.99 | \$210 to \$210.99 | \$211 to \$211.99 | \$212 to \$212.99 | \$213 to \$213.99 | \$214 to \$214.99 | \$215 to \$215.99 | \$216 to \$216.99 | \$217 to \$217.99 | \$218 to \$218.99 | \$219 to \$219.99 | \$220 to \$220.99 | \$221 to \$221.99 | \$222 to \$222.99 | \$223 to \$223.99 | \$224 to \$224.99 | \$225 to \$225.99 | \$226 to \$226.99 | \$227 to \$227.99 | \$228 to \$228.99 | \$229 to \$229.99 | \$230 to \$230.99 | \$231 to \$231.99 | \$232 to \$232.99 | \$233 to \$233.99 | \$234 to \$234.99 | \$235 to \$235.99 | \$236 to \$236.99 | \$237 to \$237.99 | \$238 to \$238.99 | \$239 to \$239.99 | \$240 to \$240.99 | \$241 to \$241.99 | \$242 to \$242.99 | \$243 to \$243.99 | \$244 to \$244.99 | \$245 to \$245.99 | \$246 to \$246.99 | \$247 to \$247.99 | \$248 to \$248.99 | \$249 to \$249.99 | \$250 to \$250.99 | \$251 to \$251.99 | \$252 to \$252.99 | \$253 to \$253.99 | \$254 to \$254.99 | \$255 to \$255.99 | \$256 to \$256.99 | \$257 to \$257.99 | \$258 to \$258.99 | \$259 to \$259.99 | \$260 to \$260.99 | \$261 to \$261.99 | \$262 to \$262.99 | \$263 to \$263.99 | \$264 to \$264.99 | \$265 to \$265.99 | \$266 to \$266.99 | \$267 to \$267.99 | \$268 to \$268.99 | \$269 to \$269.99 | \$270 to \$270.99 | \$271 to \$271.99 | \$272 to \$272.99 | \$273 to \$273.99 | \$274 to \$274.99 | \$275 to \$275.99 | \$276 to \$276.99 | \$277 to \$277.99 | \$278 to \$278.99 | \$279 to \$279.99 | \$280 to \$280.99 | \$281 to \$281.99 | \$282 to \$282.99 | \$283 to \$283.99 | \$284 to \$284.99 | \$285 to \$285.99 | \$286 to \$286.99 | \$287 to \$287.99 | \$288 to \$288.99 | \$289 to \$289.99 | \$290 to \$290.99 | \$291 to \$291.99 | \$292 to \$292.99 | \$293 to \$293.99 | \$294 to \$294.99 | \$295 to \$295.99 | \$296 to \$296.99 | \$297 to \$297.99 | \$298 to \$298.99 | \$299 to \$299.99 | \$300 to \$300.99 | \$301 to \$301.99 | \$302 to \$302.99 | \$303 to \$303.99 | \$304 to \$304.99 | \$305 to \$305.99 | \$306 to \$306.99 | \$307 to \$307.99 | \$308 to \$308.99 | \$309 to \$309.99 | \$310 to \$310.99 | \$311 to \$311.99 | \$312 to \$312.99 | \$313 to \$313.99 | \$314 to \$314.99 | \$315 to \$315.99 | \$316 to \$316.99 | \$317 to \$317.99 | \$318 to \$318.99 | \$319 to \$319.99 | \$320 to \$320.99 | \$321 to \$321.99 | \$322 to \$322.99 | \$323 to \$323.99 | \$324 to \$324.99 | \$325 to \$325.99 | \$326 to \$326.99 | \$327 to \$327.99 | \$328 to \$328.99 | \$329 to \$329.99 | \$330 to \$330.99 | \$331 to \$331.99 | \$332 to \$332.99 | \$333 to \$333.99 | \$334 to \$334.99 | \$335 to \$335.99 | \$336 to \$336.99 | \$337 to \$337.99 | \$338 to \$338.99 | \$339 to \$339.99 | \$340 to \$340.99 | \$341 to \$341.99 | \$342 to \$342.99 | \$343 to \$343.99 | \$344 to \$344.99 | \$345 to \$345.99 | \$346 to \$346.99 | \$347 to \$347.99 | \$348 to \$348.99 | \$349 to \$349.99 | \$350 to \$350.99 | \$351 to \$351.99 | \$352 to \$352.99 | \$353 to \$353.99 | \$354 to \$354.99 | \$355 to \$355.99 | \$356 to \$356.99 | \$357 to \$357.99 | \$358 to \$358.99 | \$359 to \$359.99 | \$360 to \$360.99 | \$361 to \$361.99 | \$362 to \$362.99 | \$363 to \$363.99 | \$364 to \$364.99 | \$365 to \$365.99 | \$366 to \$366.99 | \$367 to \$367.99 | \$368 to \$368.99 | \$369 to \$369.99 | \$370 to \$370.99 | \$371 to \$371.99 | \$372 to \$372.99 | \$373 to \$373.99 | \$374 to \$374.99 | \$375 to \$375.99 | \$376 to \$376.99 | \$377 to \$377.99 | \$378 to \$378.99 | \$379 to \$379.99 | \$380 to \$380.99 | \$381 to \$381.99 | \$382 to \$382.99 | \$383 to \$383.99 | \$384 to \$384.99 | \$385 to \$385.99 | \$386 to \$386.99 | \$387 to \$387.99 | \$388 to \$388.99 | \$389 to \$389.99 | \$390 to \$390.99 | \$391 to \$391.99 | \$392 to \$392.99 | \$393 to \$393.99 | \$394 to \$394.99 | \$395 to \$395.99 | \$396 to \$396.99 | \$397 to \$397.99 | \$398 to \$398.99 | \$399 to \$399.99 | \$400 to \$400.99 | \$401 to \$401.99 | \$402 to \$402.99 | \$403 to \$403.99 | \$404 to \$404.99 | \$405 to \$405.99 | \$406 to \$406.99 | \$407 to \$407.99 | \$408 to \$408.99 | \$409 to \$409.99 | \$410 to \$410.99 | \$411 to \$411.99 | \$412 to \$412.99 | \$413 to \$413.99 | \$414 to \$414.99 | \$415 to \$415.99 | \$416 to \$416.99 | \$417 to \$417.99 | \$418 to \$418.99 | \$419 to \$419.99 | \$420 to \$420.99 | \$421 to \$421.99 | \$422 to \$422.99 | \$423 to \$423.99 | \$424 to \$424.99 | \$425 to \$425.99 | \$426 to \$426.99 | \$427 to \$427.99 | \$428 to \$428.99 | \$429 to \$429.99 | \$430 to \$430.99 | \$431 to \$431.99 | \$432 to \$432.99 | \$433 to \$433.99 | \$434 to \$434.99 | \$435 to \$435.99 | \$436 to \$436.99 | \$437 to \$437.99 | \$438 to \$438.99 | \$439 to \$439.99 | \$440 to \$440.99 | \$441 to \$441.99 | \$442 to \$442.99 | \$443 to \$443.99 | \$444 to \$444.99 | \$445 to \$445.99 | \$446 to \$446.99 | \$447 to \$447.99 | \$448 to \$448.99 | \$449 to \$449.99 | \$450 to \$450.99 | \$451 to \$451.99 | \$452 to \$452.99 | \$453 to \$453.99 | \$454 to \$454.99 | \$455 to \$455.99 | \$456 to \$456.99 | \$457 to \$457.99 | \$458 to \$458.99 | \$459 to \$459.99 | \$460 to \$460.99 | \$461 to \$461.99 | \$462 to \$462.99 | \$463 to \$463.99 | \$464 to \$464.99 | \$465 to \$465.99 | \$466 to \$466.99 | \$467 to \$467.99 | \$468 to \$468.99 | \$469 to \$469.99 | \$470 to \$470.99 | \$471 to \$471.99 | \$472 to \$472.99 | \$473 to \$473.99 | \$474 to \$474.99 | \$475 to \$475.99 | \$476 to \$476.99 | \$477 to \$477.99 | \$478 to \$478.99 | \$479 to \$479.99 | \$480 to \$480.99 | \$481 to \$481.99 | \$482 to \$482.99 | \$483 to \$483.99 | \$484 to \$484.99 | \$485 to \$485.99 | \$486 to \$486.99 | \$487 to \$487.99 | \$488 to \$488.99 | \$489 to \$489.99 | \$490 to \$490.99 | \$491 to \$491.99 | \$492 to \$492.99 | \$493 to \$493.99 | \$494 to \$494.99 | \$495 to \$495.99 | \$496 to \$496.99 | \$497 to \$497.99 | \$498 to \$498.99 | \$499 to \$499.99 | \$500 to \$500.99 | \$501 to \$501.99 | \$502 to \$502.99 | \$503 to \$503.99 | \$504 to \$504.99 | \$505 to \$505.99 | \$506 to \$506.99 | \$507 to \$507.99 | \$508 to \$508.99 | \$509 to \$509.99 | \$510 to \$510.99 | \$511 to \$511.99 | \$512 to \$512.99 | \$513 to \$513.99 | \$514 to \$514.99 | \$515 to \$515.99 | \$516 to \$516.99 | \$517 to \$517.99 | \$518 to \$518.99 | \$519 to \$519.99 | \$520 to \$520.99 | \$521 to \$521.99 | \$522 to \$522.99 | \$523 to \$523.99 | \$524 to \$524.99 | \$525 to \$525.99 | \$526 to \$526.99 | \$527 to \$527.99 | \$528 to \$528.99 | \$529 to \$529.99 | \$530 to \$530.99 | \$531 to \$531.99 | \$532 to \$532.99 | \$533 to \$533.99 | \$534 to \$534.99 | \$535 to \$535.99 | \$536 to \$536.99 | \$537 to \$537.99 | \$538 to \$538.99 | \$539 to \$539.99 | \$540 to \$540.99 | \$541 to \$541.99 | \$542 to \$542.99 | \$543 to \$543.99 | \$544 to \$544.99 | \$545 to \$545.99 | \$546 to \$546.99 | \$547 to \$547.99 | \$548 to \$548.99 | \$549 to \$549.99 | \$550 to \$550.99 | \$551 to \$551.99 | \$552 to \$552.99 | \$553 to \$553.99 | \$554 to \$554.99 | \$555 to \$555.99 | \$556 to \$556.99 | \$557 to \$557.99 | \$558 to \$558.99 | \$559 to \$559.99 | \$560 to \$560.99 | \$561 to \$561.99 | \$562 to \$562.99 | \$563 to \$563.99 | \$564 to \$564.99 | \$565 to \$565.99 | \$566 to \$566.99 | \$567 to \$567.99 | \$568 to \$568.99 | \$569 to \$569.99 | \$570 to \$570.99 | \$571 to \$571.99 | \$572 to \$572.99 | \$573 to \$573.99 | \$574 to \$574.99 | \$575 to \$575.99 | \$576 to \$576.99 | \$577 to \$577.99 | \$578 to \$578.99 | \$579 to \$579.99 | \$580 to \$580.99 | \$581 to \$581.99 | \$582 to \$582.99 | \$583 to \$583.99 | \$584 to \$584.99 | \$585 to \$585.99 | \$586 to \$586.99 | \$587 to \$587.99 | \$588 to \$588.99 | \$589 to \$589.99 | \$590 to \$590.99 | \$591 to \$591.99 | \$592 to \$592.99 | \$593 to \$593.99 | \$594 to \$594.99 | \$595 to \$595.99 | \$596 to \$596.99 | \$597 to \$597.99 | \$598 to \$598.99 | \$599 to \$599.99 | \$600 to \$600.99 | \$601 to \$601.99 | \$602 to \$602.99 | \$603 to \$603.99 | \$604 to \$604.99 | \$605 to \$605.99 | \$606 to \$606.99 | \$607 to \$607.99 | \$608 to \$608.99 | \$609 to \$609.99 | \$610 to \$610.99 | \$611 to \$611.99 | \$612 to \$612.99 | \$613 to \$613.99 | \$614 to \$614.99 | \$615 to \$615.99 | \$616 to \$616.99 | \$617 to \$617.99 | \$618 to \$618.99 | \$619 to \$619.99 | \$620 to \$620.99 | \$621 to \$621.99 | \$622 to \$622.99 | \$623 to \$623.99 | \$624 to \$624.99 | \$625 to \$625.99 | \$626 to \$626.99 | \$627 to \$627.99 | \$628 to \$628.99 | \$629 to \$629.99 | \$630 to \$630.99 | \$631 to \$631.99 | \$632 to \$632.99 | \$633 to \$633.99 | \$634 to \$634.99 | \$635 to \$635.99 | \$636 to \$636.99 | \$637 to \$637.99 | \$638 to \$638.99 | \$639 to \$639.99 | \$640 to \$640.99 | \$641 to \$641.99 | \$642 to \$642.99 | \$643 to \$643.99 | \$644 to \$644.99 | \$645 to \$645.99 | \$646 to \$646.99 | \$647 to \$647.99 | \$648 to \$648.99 | \$649 to \$649.99 | \$650 to \$650.99 | \$651 to \$651.99 | \$652 to \$652.99 | \$653 to \$653.99 | \$654 to \$654.99 | \$655 to \$655.99 | \$656 to \$656.99 | \$657 to \$657.99 | \$658 to \$658.99 | \$659 to \$659.99 | \$660 to \$660.99 | \$661 to \$661.99 | \$662 to \$662.99 | \$663 to \$663.99 | \$664 to \$664.99 | \$665 to \$665.99 | \$666 to \$666.99 | \$667 to \$667.99 | \$668 to \$668.99 | \$669 to \$669.99 | \$670 to \$670.99 | \$671 to \$671.99 | \$672 to \$672.99 | \$673 to \$673.99 | \$674 to \$674.99 | \$675 to \$675.99 | \$676 to \$676.99 | \$677 to \$677.99 | \$678 to \$678.99 | \$679 to \$679.99 | \$680 to \$680.99 | \$681 to \$681.99 | \$682 to \$682.99 | \$683 to \$683.99 | \$684 to \$684.99 | \$685 to \$685.99 | \$686 to \$686.99 | \$687 to \$687.99 | \$688 to \$688.99 | \$689 to \$689.99 | \$690 to \$690.99 | \$691 to \$691.99 | \$692 to \$692.99 | \$693 to \$693.99 | \$694 to \$694.99 | \$695 to \$695.99 | \$696 to \$696.99 | \$697 to \$697.99 | \$698 to \$698.99 | \$699 to \$699.99 | \$700 to \$700.99 | \$701 to \$701.99 | \$702 to \$702.99 | \$703 to \$703.99 | \$704 to \$704.99 | \$705 to \$705.99 | \$706 to \$706.99 | \$707 to \$707.99 | \$708 to \$708.99 | \$709 to \$709.99 | \$710 to \$710.99 | \$711 to \$711.99 | \$712 to \$712.99 | \$713 to \$713.99 | \$714 to \$714.99 | \$715 to \$715.99 | \$716 to \$716.99 | \$717 to \$717.99 | \$718 to \$718.99 | \$719 to \$719.99 | \$720 to \$720.99 | \$721 to \$721.99 | \$722 to \$722.99 | \$723 to \$723.99 | \$724 to \$724.99 | \$725 to \$725.99 | \$726 to \$726.99 | \$727 to \$727.99 | \$728 to \$728.99 | \$729 to \$729.99 | \$730 to \$730.99 | \$731 to \$731.99 | \$732 to \$732.99 | \$733 to \$733.99 | \$734 to \$734.99 | \$735 to \$735.99 | \$736 to \$736.99 | \$737 to \$737.99 | \$738 to \$738.99 | \$739 to \$739.99 | \$740 to \$740.99 | \$741 to \$741.99 | \$742 to \$742.99 | \$743 to \$743.99 | \$744 to \$744.99 | \$745 to \$745.99 | \$746 to \$746.99 | \$747 to \$747.99 | \$748 to \$748.99 | \$749 to \$749.99 | \$750 to \$750.99 | \$751 to \$751.99 | \$752 to \$752.99 | \$753 to \$753.99 | \$754 to \$754.99 | \$755 to \$755.99 | \$756 to \$756.99 | \$757 to \$757.99 | \$758 to \$758.99 | \$759 to \$759.99 | \$760 to \$760.99 | \$761 to \$761.99 | \$762 to \$762.99 | \$763 to \$763.99 | \$764 to \$764.99 | \$765 to \$765.99 | \$766 to \$766.99 | \$767 to \$767.99 | \$768 to \$768.99 | \$769 to \$769.99 | \$770 to \$770.99 | \$771 to \$771.99 | \$772 to \$772.99 |

TABLE XII
WEEKLY EARNINGS OF FAMILIES OF 574 WOMEN EMPLOYED IN STORES AND FACTORIES OF NEW YORK CITY, BY WEEKLY EARNINGS OF WOMEN
A. STORES

| J | WEEKLY EARNINGS — | | | | | | | | | | | | | | | | | Totals or average |
|---|-------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------|
| | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | |
| WEEKLY EARNINGS OF FAMILY | WEEKLY EARNINGS — | | | | | | | | | | | | | | | | | Totals or average |
| | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | |
| 11 Under \$7.50..... | 1 | 1 | 1 | 1 | 2 | 5 | 3 | 3 | 3 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 |
| 2 \$7.50 to \$12.49..... | 1 | 1 | 1 | 1 | 4 | 3 | 3 | 3 | 3 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 17 |
| 3 \$12.50 to \$17.49..... | 1 | 1 | 1 | 1 | 4 | 6 | 4 | 4 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 26 |
| 4 \$17.50 to \$22.49..... | 1 | 1 | 1 | 1 | 5 | 6 | 4 | 4 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 25 |
| 5 \$22.50 to \$27.49..... | 1 | 1 | 1 | 1 | 6 | 8 | 3 | 6 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 29 |
| 6 \$27.50 to \$32.49..... | 1 | 1 | 1 | 1 | 4 | 9 | 2 | 3 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 15 |
| 7 \$32.50 to \$37.49..... | 1 | 1 | 1 | 1 | 6 | 2 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 18 |
| 8 \$37.50 to \$42.49..... | 1 | 1 | 1 | 1 | 3 | 4 | 3 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 6 |
| 9 \$42.50 to \$47.49..... | 1 | 1 | 1 | 1 | 1 | 5 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 11 |
| 10 \$47.50 or over..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Total reporting family earnings..... | 2 | 14 | 25 | 43 | 33 | 27 | 12 | 9 | 5 | 5 | 2 | 2 | 3 | 3 | 3 | 3 | 3 | 185 |
| Average weekly earnings of families of 185 reporting..... | \$31.25 | \$26.29 | \$25.32 | \$24.91 | \$26.35 | \$27.18 | \$24.21 | \$23.11 | \$22.13 | \$24.60 | \$20.62 | \$20.62 | \$23.50 | \$18.83 | \$49.00 | \$32.00 | \$26.49 | \$26.49 |

B. FACTORIES

| J | WEEKLY EARNINGS — | | | | | | | | | | | | | | | | | Totals or average |
|--------------------------------------|-------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------|
| | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | |
| WEEKLY EARNINGS OF FAMILY | WEEKLY EARNINGS — | | | | | | | | | | | | | | | | | Totals or average |
| | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | |
| 13 Under \$7.50..... | 2 | 3 | 2 | 4 | 2 | 1 | 1 | 1 | 3 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 14 |
| 14 \$7.50 to \$12.49..... | 1 | 4 | 2 | 7 | 3 | 2 | 3 | 2 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 28 |
| 15 \$12.50 to \$17.49..... | 1 | 4 | 3 | 9 | 4 | 7 | 3 | 4 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 35 |
| 16 \$17.50 to \$22.49..... | 1 | 1 | 1 | 5 | 7 | 3 | 3 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 25 |
| 17 \$22.50 to \$27.49..... | 1 | 1 | 1 | 12 | 9 | 6 | 8 | 6 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 48 |
| 18 \$27.50 to \$32.49..... | 1 | 1 | 1 | 3 | 4 | 5 | 1 | 4 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 23 |
| 19 \$32.50 to \$37.49..... | 1 | 1 | 1 | 3 | 3 | 3 | 6 | 2 | 2 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 22 |
| 20 \$37.50 to \$42.49..... | 1 | 1 | 1 | 5 | 3 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 13 |
| 21 \$42.50 to \$47.49..... | 1 | 1 | 1 | 4 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 |
| 22 \$47.50 or over..... | 1 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 |
| Total reporting family earnings..... | 4 | 14 | 19 | 51 | 37 | 31 | 25 | 23 | 8 | 5 | 5 | 2 | 1 | 1 | 1 | 1 | 1 | 226 |
| Average family earnings..... | \$7.68 | \$14.06 | \$22.75 | \$21.51 | \$24.51 | \$25.22 | \$23.31 | \$24.08 | \$23.64 | \$26.60 | \$24.20 | \$25.50 | \$27.50 | \$22.00 | \$22.00 | \$22.00 | \$22.28 | \$23.28 |

FAMILY INCOMES

A good many of the women were unable to tell how much the other members of their families earned, but one-hundred eighty-five in the stores and two hundred twenty-six in the factories of New York City had such complete ideas of the pay of the other members of their households, that it is possible to classify the family earnings of these people. Table XII shows that the average weekly income of the families of the store women who could report was \$26.49, and that of the factory operatives \$23.28. It would seem as if the small difference between the incomes of the families of the factory employees and of the store girls may be accounted for by the slightly larger average number of workers in the families of the latter class. There seems to be no definite relation between the earnings of the families and the pay of the girls. The average family earnings are remarkably similar for all the wage groups of the store girls and the two departures which occur among the factory girls, namely, among those not earning \$3 and those earning from \$3 to \$3.99 may be at least partially accounted for by the fact that there are so few in these wage groups who report their family incomes. Another fact which should be noted in this table is, that among the store employees, twenty-eight per cent. belong to households earning less than \$17.50 a week. Among factory employees approximately one-third are in families of this class. If family earnings under \$22.50 are considered, two-fifths of the store girls come from such households, and a slightly larger proportion of the factory girls. Of course, the entire family income is not always measured by the earnings of its members, for numerous families have boarders and lodgers and a few may have other means. That fact, however, does not detract from the significance of the extremely low earning power of the households from which the working girls come.

SOURCE OF AID WHEN UNEMPLOYED

Another question which evoked answers of considerable importance was frequently put thus: — "Suppose you were out of work, to whom could you turn for help?" There were three characteristic groups of the replies. The girls who lived at home almost invariably received help from their parents or their families. Those living at home who said that there was no aid to be

expected could hardly be credited as having an intelligent understanding of the import of the query. The girls who stayed with friends or relatives, in the great proportion of cases, said that they could go to a brother, sister or other relative for aid. Comparatively few had parents to whom they could turn. This doubtless arises from the fact that many of those who live with relatives or with friends, are orphans and so cannot expect help from a parent, although they may have brothers and sisters and other relatives who would assist them. In this case, as among the girls living at home, those who said they have no source of aid, although quite numerous, scarcely deserve credence, for it is a well-known fact that very few girls (when they are out of work and cannot pay their board), are actually turned out by their landladies. The custom, rather, seems to be to tide them over until they once more begin earning. The third big group that stands out in this table is composed of those living with strangers, who, in the main, assert that they have no source of help. It is probable that they too would be carried along by their landladies, but they could not, as frequently as the others who report no source of aid, obtain money for the other expenditures, such as clothing and food. Lumping together all the women who reported it can be said that of the 279 who live with strangers nearly one-half (130) reported that they were absolutely self-dependent. But of all the women less than one-seventh actually were without some source of help.

TABLE XIII
SOURCE OF AID WHEN UNEMPLOYED OF WOMEN BY RESIDENCE
A. NEW YORK STORES

| I | DOMICILE | | | |
|--------------------------------|----------|---------------------------|----------------|--------|
| | Home | With relatives or friends | With strangers | Totals |
| 1 Family..... | 231 | 10 | 16 | 257 |
| 2 Parents or a parent..... | 129 | 2 | 5 | 136 |
| 3 Brother, sister or both..... | 21 | 30 | 10 | 61 |
| 4 Other relatives..... | 7 | 32 | 7 | 46 |
| 5 Other sources..... | 2 | 5 | 1 | 8 |
| 6 None..... | 31 | 22 | 66 | 119 |
| 7 Not reported..... | 112 | 39 | 20 | 171 |
| 8 Totals..... | 533 | 140 | 125 | *798 |

* Two omitted to report residence and were omitted from table.

B. UP-STATE STORES

| I | | II | III | IV | V |
|---------------|------------------------------|----------|---------------------------|----------------|--------|
| SOURCE OF AID | | DOMICILE | | | Totals |
| | | Home | With relatives or friends | With strangers | |
| 9 | Family..... | 162 | 19 | 19 | 200 |
| 10 | Parents or a parent..... | 18 | 8 | 8 | 34 |
| 11 | Brother, sister or both..... | 14 | 16 | 5 | 35 |
| 12 | Other relatives..... | 7 | 22 | 3 | 32 |
| 13 | Other sources..... | ..... | 1 | 5 | 6 |
| 14 | None..... | 5 | 10 | 19 | 34 |
| 15 | Not reported..... | 42 | 16 | 9 | 67 |
| 16 | Totals..... | 248 | 92 | 68 | 408 |

C. NEW YORK FACTORIES

| I | | II | III | IV | V |
|---------------|------------------------------|----------|----------------------|----------------|--------|
| SOURCE OF AID | | DOMICILE | | | Totals |
| | | Home | Relatives or friends | With Strangers | |
| 1 | Family..... | 181 | 4 | 2 | 187 |
| 2 | Parents or a parent..... | 45 | 11 | 3 | 59 |
| 3 | Brother, sister or both..... | 23 | 28 | 3 | 54 |
| 4 | Other relatives..... | 2 | 19 | 3 | 24 |
| 5 | Other sources..... | 2 | 1 | 2 | 5 |
| 6 | None..... | 22 | 23 | 27 | 72 |
| 7 | Not reported..... | 64 | 31 | 2 | 97 |
| 8 | Totals..... | 339 | 117 | 42 | 498 |

D. UP-STATE FACTORIES

| I | | II | III | IV | V |
|---------------|------------------------------|----------|----------------------|----------------|--------|
| SOURCE OF AID | | DOMICILE | | | Totals |
| | | Home | Relatives or friends | With Strangers | |
| 9 | Family..... | 46 | 5 | 4 | 55 |
| 10 | Parents or a parent..... | 7 | 2 | 5 | 14 |
| 11 | Brother, sister or both..... | 13 | 12 | 7 | 32 |
| 12 | Other relatives..... | 2 | 6 | 2 | 10 |
| 13 | Other sources..... | 1 | ..... | 1 | 2 |
| 14 | None..... | 11 | 10 | 18 | 39 |
| 15 | Not reported..... | 36 | 3 | 7 | 46 |
| 16 | Totals..... | 116 | 38 | 44 | 198 |

WEEKLY EARNINGS

In Table XIV there are given three sets of related facts. On the first line are shown the numbers of women employed in the New York stores in each of the different wage groups. The second line shows the percentage of these women in each wage group and the third line shows the average earnings of those in each group. For instance, among the store girls there were 138 who earned \$6 but less than \$7. These girls constituted 17.25 per cent. of the New York City store women interviewed. Their average weekly wage was \$6.13. Most of them were paid exactly \$6 but others were paid \$6.50 and a few were paid odd amounts. It is because of this tendency in stores, as in other places, to pay round sums that the average earnings are for the most part only a few cents above the lower limit of the group. Before drawing any conclusions from this table, a word should be said regarding the data which were used in its compilation. In the interview the investigator asked each girl four different questions concerning her earnings. They were expressed on the card by the words "Present," "Usual," "Dull" and "Rush." Ideally it would have been desirable to tabulate the "usual" earnings as being those which best represent the normal state of the girls' incomes, but there was extremely little difference in the reports by the girls for their "present" and their "usual" earnings. In view of this fact it seemed that there would be no great misrepresentation if the "present" earnings were used in making up the table. This practice led to one or two incongruous results. For instance, one girl whose earnings are classified as being \$3 reported a regular expenditure for board and lodging of \$5 for the week. However, there were very few of these startling cases, and those that occurred detract very little from the value of the summaries. The reason for choosing to classify "present" earnings was that the girls could give a much more definite estimate of this sum than of their "usual" earnings. It was found by Mr. Skeel by means of very careful comparisons of the estimates of women made from their memories

with the accounts on the pay-rolls of employers in several factories, that the girls had a very hazy notion as to what their annual earnings would really total. On the other hand, very few girls had forgotten what they received in the last pay envelope. It was, therefore, with a view to securing the greatest accuracy of statement that the "present" earnings were used. Another thing should be noted by the reader, namely, that actual earnings rather than rates are recorded. For instance, if a store employee received bonuses in addition to her weekly fixed wage, those bonuses, wherever possible, were averaged and the result added to the standard weekly wage. Moreover, if a girl was employed in a factory at a rate of \$7 a week, for example, but was working only part time, she entered into the record on the basis of what she actually received, rather than of what she was supposed to get.

With this note as to the method employed in obtaining Table XIV, it is possible to study it with a view to seeing what classes of girls were investigated. In the first place, the women in the New York stores were of about the normal earning power. The average earnings of these girls was \$7.77 per week. If one should begin counting with her who receives least and proceed in regular sequence to the one who receives most, he would have passed just half way along the line when he came to what is known as the median. That is, if exactly as many are receiving more than a certain amount as are receiving less than that sum, that amount is the median earnings. The median earnings of these store employees in New York was \$7.25. Since there were over one hundred low-paid five and ten cent store girls in this group it may be inferred that the wages are fairly representative of the stores of the metropolis. The same cannot be said of the up-state stores. The average earnings of the women there employed and investigated by the Commission in this study was \$6.23. The reasons for these low earnings have been previously explained. The median wage in this case was exactly \$6. In the factories the range of wages seems to have been fairly repre-

sentative of the industries. In New York City the average wage was \$6.62 and up-state it was \$7.01. Probably the higher average up-State is at least partially accounted for by the fact that the women there employed were older and, therefore, more competent. Another possible explanation of this difference is to be found in the fact that the interviews in New York City factories were obtained early in 1914 and the interviews up-state were mostly taken in May and June. The difference in season may have something to do with the difference in earnings.

What, then, is to be noted as particularly important in this table? In the first place, the groups according to earnings show that a very large proportion of the women were receiving under \$6 a week. One-fifth of those in the New York stores, nearly two-fifths of those in the New York factories and about one-third of those in the up-state factories were paid under \$6. The mass of the women in the New York City stores were earning six, seven and eight dollars a week, over half of the entire number being included in these groups. In the factories of New York City the great proportion is found earning from \$5 to \$7.99 a week, nearly fifty-six per cent. being included in these groups. But in the up-state factories there is no such marked point of concentration. It may be said, however, that approximately three-quarters were earning between \$4 and \$8.99 a week and one-half between \$5 and \$7.99. These are very wide wage groupings but there is no wage typical of any one of the groups of women. The generalization can be drawn from the table, however, that both when the average is considered and when the proportions earning below certain stipulated sums are noted, the earnings of these women are pretty low. Over half earn under \$7 a week; two-thirds under \$8 and four-fifths under \$9. One word of caution to the reader. Very many of these earnings as represented in the table are not to be considered in any sense regular, for the employees in the department stores in New York are, at times, told that they would better take a vacation. This simply means that they are laid off, but will be given a preference for employment

when the fall trade necessitates a larger selling force, than is sufficient during the summer dullness. Similar occurrences of forced idleness are common in the factories. In Dr. Woolston's report it is so clearly shown that the wage rates and weekly earnings are not indicative of annual incomes, that the matter needs no enlargement here.

TABLE XIV
CLASSIFIED WEEKLY EARNINGS OF 1,937 WOMEN EMPLOYED IN STORES AND FACTORIES IN NEW YORK AND OTHER CITIES

| CLASSIFIED WEEKLY EARNINGS OF 1,937 WOMEN EMPLOYED IN STORES AND FACTORIES IN NEW YORK AND OTHER CITIES | | | | | | | | | | | | | | | | | | | | |
|---|------------------|-----------------|------------|------------|------------|------------|------------|------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|------------------|
| I | | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | |
| | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | XX |
| | | Under \$3 | \$3 to \$4 | \$4 to \$5 | \$5 to \$6 | \$6 to \$7 | \$7 to \$8 | \$8 to \$9 | \$9 to \$10 | \$10 to \$11 | \$11 to \$12 | \$12 to \$13 | \$13 to \$14 | \$14 to \$15 | \$15 to \$16 | \$16 to \$17 | \$17 to \$18 | \$18 to \$20 | Not reported | Total or average |
| 1 | Stores number | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 800 | |
| 2 | Per cent. | 1.50 | 8.00 | 10.25 | 17.25 | 18.13 | 15.87 | 9.13 | 7.12 | 3.13 | 3.25 | 0.75 | 1.75 | 1.87 | 0.88 | 0.25 | 0.37 | 0.50 | 100.00 | |
| 3 | Average earnings | \$3.33 | \$4.21 | \$5.13 | \$7.13 | \$8.11 | \$9.08 | \$10.09 | \$11.10 | \$12.06 | \$13.12 | \$14.11 | \$15.18 | \$16.29 | \$18.00 | \$20.33 | \$22.00 | \$7.77 | | |
| 4 | Factories number | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | 2 | 1 | 4 | 531 | | |
| 5 | Per cent. | 1.88 | 4.90 | 9.23 | 21.28 | 19.40 | 15.05 | 9.23 | 9.42 | 5.08 | 1.70 | 1.13 | 0.38 | 0.38 | 0.38 | 0.19 | 0.75 | 100.00 | | |
| 6 | Average earnings | \$2.13 | \$3.23 | \$4.28 | \$5.22 | \$6.14 | \$7.14 | \$8.13 | \$9.14 | \$10.07 | \$11.11 | \$12.08 | \$13.00 | \$14.00 | \$15.00 | \$16.00 | \$17.00 | \$6.82 | | |
| 7 | Stores number | 2 | 24 | 33 | 64 | 131 | 97 | 32 | 13 | 6 | 1 | 3 | 2 | 2 | 2 | 2 | 2 | 2 | 408 | |
| 8 | Per cent. | .49 | 5.88 | 8.09 | 15.68 | 23.10 | 23.78 | 7.84 | 3.19 | 1.47 | 0.25 | 0.74 | 0.49 | 0.49 | 0.49 | 0.49 | 0.49 | 100.00 | | |
| 9 | Average earnings | \$2.25 | \$3.00 | \$4.27 | \$5.07 | \$6.02 | \$7.10 | \$8.03 | \$9.09 | \$10.00 | \$11.00 | \$12.00 | \$13.25 | \$14.25 | \$15.25 | \$16.25 | \$17.25 | \$6.23 | | |
| 10 | Factories number | 4 | 6 | 23 | 27 | 39 | 34 | 23 | 11 | 16 | 2 | 9 | 2 | 2 | 2 | 2 | 2 | 2 | 198 | |
| 11 | Per cent. | 2.02 | 3.03 | 11.62 | 13.64 | 19.17 | 17.17 | 11.02 | 5.83 | 8.08 | 1.01 | 4.55 | 1.01 | 1.01 | 1.01 | 1.01 | 1.01 | 100.00 | | |
| 12 | Average earnings | \$2.00 | \$3.86 | \$5.24 | \$6.20 | \$7.17 | \$8.13 | \$9.07 | \$10.00 | \$11.02 | \$12.16 | \$13.00 | \$14.00 | \$15.00 | \$16.00 | \$17.00 | \$18.00 | \$7.01 | | |

TABLE XV
DISTRIBUTION OF EXPENDITURE OF 1937 WOMEN EMPLOYED IN STORES AND CANDY, PAPER BOX, AND SHIRT FACTORIES IN NEW YORK AND IN OTHER CITIES
SECTION A. AVERAGE EXPENDITURES

| I | | AVERAGE WEEKLY EXPENDED FOR SPECIFIED OBJECT | | | | | | | | | | | | | | | | | | Number reporting | |
|---|--|--|------------|------------|------------|------------|------------|------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------------|-------|------|------------------|--|
| | | For those earning | | | | | | | | | | | | | | | | | | For all | |
| | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | XX | |
| | | Under \$3 | \$3 to \$4 | \$4 to \$5 | \$5 to \$6 | \$6 to \$7 | \$7 to \$8 | \$8 to \$9 | \$9 to \$10 | \$10 to \$11 | \$11 to \$12 | \$12 to \$13 | \$13 to \$14 | \$14 to \$15 | \$15 to \$16 | \$16 to \$18 | \$18 to \$20 or over | | | | |
| IV OTHER CITIES, FACTORIES— <i>Continued</i> | | | | | | | | | | | | | | | | | | | | | |
| 40 | Contribution to family, by women living at home. | 2 06 | 3 57 | 4 32 | 5 17 | 5 15 | 5 24 | 7 48 | 7 50 | 10 00 | 11 05 | 9 06 | 13 00 | | | | | | 5 64 | | |
| 41 | Food. | 10 1 00 | 67 1 56 | 90 1 25 | 90 69 | 91 25 | 88 1 20 | 1 30 | 1 20 | | | | | | | | | | 92 | | |
| 42 | Clothing. | 1 44 | 82 1 54 | 1 48 | 1 55 | 1 99 | 1 64 | 1 54 | 1 91 | 1 25 | 2 82 | | | | | | | | 1 43 | | |
| 43 | Laundry. | 35 50 | 70 74 | 55 83 | 66 74 | 51 50 | 50 1 20 | | | | | | | | | | | | 68 | | |
| 44 | Carfare. | 70 57 | 37 51 | 57 53 | 52 65 | 60 36 | 42 60 | | | | | | | | | | | | 51 | | |
| 45 | Savings. | 46 08 | 46 61 | 1 12 | 2 22 | 2 00 | 1 00 | | | | | | | | | | | | 1 03 | | |
| 46 | Dues and insurance. | 03 07 | 70 06 | 05 07 | 06 08 | 10 10 | 08 12 | 10 09 | | | | | | | | | | | 07 | | |
| 47 | Miscellaneous (spending money). | 50 1 00 | 41 65 | 45 08 | 36 42 | 25 70 | 1 50 | 75 54 | | | | | | | | | | | 54 | | |
| 48 | Average weekly earnings. | 2 00 | 3 38 | 4 38 | 5 24 | 7 33 | 8 12 | 9 09 | 10 00 | 11 02 | 12 15 | 13 00 | 14 00 | | | | | | 7 01 | | |

*Average of all reporting, whether dues and insurance was paid or not. The other averages are for those actually having the expenditure.

TABLE XV
DISTRIBUTION OF EXPENDITURE OF 1937 WOMEN EMPLOYED IN STORES, AND CAMDT, PAPER BOX AND SHIRT FACTORIES IN NEW YORK AND IN OTHER CITIES
SECTION B. PER CENT OF AVERAGE WAGES EXPENDED

| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | XX |
|----|---|------------|------------|------------|------------|------------|------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------------|---------|-----------------------|
| | PER CENT OF AVERAGE WAGE EXPENDED FOR SPECIFIED OBJECT | | | | | | | | | | | | | | | | | | |
| | For those earning | | | | | | | | | | | | | | | | | | |
| | Under \$3 | \$3 to \$4 | \$4 to \$5 | \$5 to \$6 | \$6 to \$7 | \$7 to \$8 | \$8 to \$9 | \$9 to \$10 | \$10 to \$11 | \$11 to \$12 | \$12 to \$13 | \$13 to \$14 | \$14 to \$15 | \$15 to \$16 | \$16 to \$17 | \$17 to \$18 | \$18 to \$20 or over | For all | Number re- porting |
| I | | | | | | | | | | | | | | | | | | | |
| 1 | I. New York City, Stores | | | | | | | | | | | | | | | | | | |
| 2 | Percent of average weekly earnings expended by those reporting for: | | | | | | | | | | | | | | | | | | |
| 3 | Board, lodging and lunches, women | | | | | | | | | | | | | | | | | | |
| 4 | Board, lodging and lunches, women living independently | | | | | | | | | | | | | | | | | | |
| 5 | Board, lodging and lunches, women living with friends or relatives | | | | | | | | | | | | | | | | | | |
| 6 | Contribution to family, by women living at home | | | | | | | | | | | | | | | | | | |
| 7 | Lunches | | | | | | | | | | | | | | | | | | |
| 8 | Clothing | | | | | | | | | | | | | | | | | | |
| 9 | Laundry | | | | | | | | | | | | | | | | | | |
| 10 | Coffees | | | | | | | | | | | | | | | | | | |
| 11 | Savings | | | | | | | | | | | | | | | | | | |
| 12 | Dues and insurance | | | | | | | | | | | | | | | | | | |
| 13 | Miscellaneous (pending money) | | | | | | | | | | | | | | | | | | |
| 14 | Average weekly earnings | | | | | | | | | | | | | | | | | | |
| 15 | II. New York City, Factories | | | | | | | | | | | | | | | | | | |
| 16 | Percent of average weekly earnings expended by those reporting for: | | | | | | | | | | | | | | | | | | |
| 17 | Board, lodging and lunches, women | | | | | | | | | | | | | | | | | | |
| 18 | Board, lodging and lunches, women living independently | | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | |
|---------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|----|
| living independently..... | 93.0' | 99.3' | 65.2' | 53.1' | 56.8' | 46.0' | 41.4' | 49.6' | 60.2' | 39 |
|---------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|----|

TABLE XV
DISTRIBUTION OF EXPENDITURES OF 1937 WOMEN EMPLOYED IN STORES AND CANDY, PAPER BOX AND SHIRT FACTORIES IN NEW YORK AND OTHER CITIES
SECTION B: PER CENT OF AVERAGE WAGES EXPENDED — Concluded

| I | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | XX | |
|--|--|--|------------|------------|------------|------------|------------|------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|------------------|
| | | PER CENT OF AVERAGE WAGE EXPENDED FOR SPECIFIED OBJECT | | | | | | | | | | | | | | | | | | | Number reporting |
| | | For those earning | | | | | | | | | | | | | | | | | | | |
| | | Under \$3 | \$3 to \$4 | \$4 to \$5 | \$5 to \$6 | \$6 to \$7 | \$7 to \$8 | \$8 to \$9 | \$9 to \$10 | \$10 to \$11 | \$11 to \$12 | \$12 to \$13 | \$13 to \$14 | \$14 to \$15 | \$15 to \$16 | \$16 to \$17 | \$17 to \$18 | \$18 to \$19 | \$19 to \$20 | \$20 or over | |
| II NEW YORK CITY, FACTORIES— <i>Continued</i> | | | | | | | | | | | | | | | | | | | | | |
| 15 | Board, lodging and lunches, women living with friends or relatives | 152.9 | 61.9 | 55.4 | 63.4 | 43.2 | 54.7 | 40.1 | 38.2 | 38.3 | 54.1 | | | | | | | | | 47.6 | |
| 16 | Contribution to family, by women living at home | | | | | | | | | | | | | | | | | | | 113 | |
| 17 | Lunches | 93.9 | 74.3 | 66.6 | 61.7 | 66.3 | 60.0 | 51.0 | 68.4 | 54.5 | 51.8 | 49.6 | | | | | | | | 339 | |
| 18 | Clothing | 29.6 | 20.1 | 15.4 | 18.0 | 12.3 | 11.6 | 10.7 | 9.1 | 10.1 | 7.8 | 7.7 | 9.2 | | | | | | | 231 | |
| 19 | Laundry | 45.6 | 22.9 | 23.1 | 23.0 | 18.7 | 21.6 | 19.2 | 18.8 | 17.1 | 10.8 | 10.6 | | | | | | | | 208 | |
| 20 | Coffee | | | | 5.8 | 5.2 | 10.2 | 11.2 | 3.4 | 12.6 | | 4.1 | | | | | | | | 17 | |
| 21 | Savings | 25.3 | 18.6 | 11.4 | 11.1 | 8.3 | 7.4 | 6.5 | 8.0 | 6.5 | 5.4 | 4.9 | 4.6 | | | | | | | 184 | |
| 22 | Dues and insurance | | | | 10.7 | 8.1 | 20.2 | 9.6 | | 20.4 | 9.6 | | | | | | | | | 43 | |
| 23 | Miscellaneous (spending money) | 6.1 | 5.3 | 4.2 | 7.2 | 7.2 | 6.3 | 8.2 | 6.7 | 6.2 | 3.9 | 3.8 | 1.8 | | | | | | | 283 | |
| 24 | Average weekly earnings | \$2.13 | \$3.23 | \$4.28 | \$5.22 | \$6.14 | \$7.14 | \$8.13 | \$9.14 | \$10.07 | \$11.02 | \$12.00 | \$13.00 | \$14.00 | | | | | | \$22.00 | |
| III. OTHER CITIES, STORES | | | | | | | | | | | | | | | | | | | | | |
| 25 | Per cent of average weekly earnings expended by those reporting for: | | | | | | | | | | | | | | | | | | | | |
| 26 | Board, lodging and lunches, women living independently | | | | | | | | | | | | | | | | | | | 76 | |
| 27 | Board, lodging and lunches, women living with friends or relatives | 47.5 | 31.8 | 43.5 | 33.6 | 40.4 | 49.7 | 46.7 | 25.1 | 22.3 | | | 54.3 | | | | | | | 126 | |
| 28 | Contribution to family, by women living at home | 111.0 | 92.8 | 88.2 | 85.6 | 81.5 | 62.8 | 63.5 | 67.5 | 72.5 | 100.0 | | | | | | | | | 236 | |

| | | | | | | | | | | | | | | | | | | | | |
|------------------------------------|---|--------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|---------|---------|--|--|--|--|--|--------|
| 29 | Lunches | 47.5 | 19.4 | 19.2 | 18.5 | 15.6 | 14.3 | 9.9 | 4.3 | 13.1 | | | | | | | | | | 13.9 |
| 30 | Clothing | | 60.2 | 19.2 | 33.3 | 23.9 | 24.7 | 19.6 | 12.4 | 12.5 | | | | | | | | | | 25.3 |
| 31 | Laundry | 22.2 | | | 10.9 | 9.1 | 6.3 | 5.8 | 1.4 | | 4.5 | 6.3 | 3.8 | | | | | | | 200 |
| 32 | Coffee | | 14.8 | 12.9 | 10.6 | 9.6 | 8.8 | 6.9 | 8.4 | 2.3 | | 5.0 | | | | | | | | 60 |
| 33 | Savings | | 3.6 | 27.0 | 5.1 | 13.3 | 1.6 | 26.0 | 1.3 | | | 30.1 | | | | | | | | 9.1 |
| 34 | Dues and insurance | | 1.1 | 0.5 | 0.8 | 0.8 | 1.1 | 0.6 | 0.5 | 1.2 | 0.7 | 0.6 | 0.6 | | | | | | | 15.1 |
| 35 | Miscellaneous (spending money) | | 23.2 | 10.6 | 10.2 | 9.3 | 6.5 | 7.3 | 6.2 | 5.4 | 7.6 | | | | | | | | | 0.6 |
| 36 | Average weekly earnings | \$2.25 | \$3.31 | \$4.27 | \$5.07 | \$6.02 | \$7.13 | \$8.03 | \$9.09 | \$10.00 | \$11.00 | \$12.00 | \$13.25 | | | | | | | \$6.23 |
| IV. OTHER CITIES, FACTORIES | | | | | | | | | | | | | | | | | | | | |
| 37 | Per cent of average weekly earnings expended by those reporting for: Board, lodging and lunches, women living independently | | | | | | | | | | | | | | | | | | | 62.8 |
| 38 | Board, lodging and lunches, women living with friends or relatives | 148.0 | 85.5 | 65.4 | 88.0 | 63.3 | 50.6 | 77.0 | 36.7 | | 47.4 | | | | | | | | | 44.5 |
| 39 | Contribution to family, by women living at home | | | | | | | | | | | | | | | | | | | 80.5 |
| 40 | Lunches | 103.0 | 105.5 | 98.2 | 98.4 | 83.0 | 73.5 | 82.3 | 82.5 | 100.0 | 100.0 | 100.0 | | | | | | | | 13.1 |
| 41 | Clothing | 5.0 | 29.6 | 16.2 | 29.7 | 14.5 | 9.7 | 11.1 | 2.8 | 8.8 | | 9.9 | 10.0 | 8.6 | | | | | | 21.1 |
| 42 | Laundry | 42.6 | 18.7 | 19.6 | 24.8 | 20.8 | 19.1 | 21.9 | 16.4 | 14.0 | 15.8 | 9.6 | 17.9 | | | | | | | 9.7 |
| 43 | Coffee | 17.5 | 14.8 | | 13.9 | 8.9 | 11.5 | 8.1 | | 7.4 | | 4.2 | 3.8 | 8.6 | | | | | | 7.3 |
| 44 | Savings | 23.0 | | | 7.1 | 8.2 | 8.0 | 6.5 | 6.7 | 6.5 | 5.4 | 2.9 | 3.2 | 4.3 | | | | | | 14.7 |
| 45 | Dues and insurance | | | | 8.8 | 9.8 | 15.7 | 27.2 | 22.0 | 10.0 | 8.2 | | | | | | | | | 1.0 |
| 46 | Miscellaneous (spending money) | 1.7 | 2.2 | 1.7 | 1.1 | 0.8 | 1.0 | 0.7 | 0.9 | 1.0 | 0.3 | 1.0 | 0.7 | 0.6 | | | | | | 7.7 |
| 47 | Average weekly earnings | \$2.00 | \$3.38 | \$4.38 | \$5.24 | \$6.20 | \$7.13 | \$8.12 | \$9.09 | \$10.00 | \$11.02 | \$12.16 | \$13.00 | \$14.00 | | | | | | \$7.01 |
| 48 | | | | | | | | | | | | | | | | | | | | 198 |

Table XV has been compiled in order to bring together in summary statement all the available information concerning the expenditures of the women studied. At the bottom of each of the four parts is given, for purposes of comparison, a line showing the average weekly earnings of the women in each wage group. Looking at Section A one may see that the expenditures are given under several different heads which are not always mutually exclusive. For instance, there is a line showing the cost of board, lodging and lunch to women living independently and a similar line showing the sum of the same items for women living with friends and relatives. A different head, but one which is meant to include approximately the same thing, is that called "Contribution to family by the women living at home." The cost of lunches bought "out" is not included in the figures in this line. The reason for this is that so many women who reported that they had contributed all of their wages to the family with which they were living, claimed to have made additional expenditure for lunches. The first section of the table is made up then to show for every separate item of expenditure the average outlay of those women in each wage group who expended for the specified purpose. For instance, if there were 138 women earning from \$6 to \$6.99 employed by the New York stores, and of these seventy-five report the amount spent for lunches, then the average of ninety-seven cents given in Line five, Column V of Section A of Table XV, means that ninety-seven cents was the average expenditure of these seventy-five and not of the whole 138. An exception to this rule was made in the compilation of the statistics of "dues and insurance," and "miscellaneous (spending money)." In the case of these items the average was that of all the women who reported on the question at all. In other words, in forming the mean, account was taken of those who reported no spending money, as well as those who mentioned a specific sum. With this word of explanation the first part of the table should be readily understood. The second section of the table gives percentages, that is, the ninety-seven cents mentioned above was 15.8 per cent. of \$6.13, the average earnings of the 138 women earning from \$6 to \$6.99. On a similar basis the other percentages in the table are constructed.

CLOTHING

In the consideration of the various elements making up the annual expenditure, it may be well to discuss first the outlay of the women for clothes. In Table XV, it may be seen that the women in the New York City stores spent an average of \$1.61 a week, or approximately \$84 a year — one-fifth of their income — for clothing. Although there is a small expenditure of \$1.20 per week for those earning \$4, but less than \$6, the average increases to about \$2.25 for those earning \$12 or over. Thus, the increase of the expenditure for clothing follows the increase in earning power. A closer examination will show that women earning a wage less than \$8 invest just about twenty per cent. of the income in clothing. Among those who earn \$8, but less than \$12 per week, the expenditure varies around eighteen and one-half per cent. of the income; and among the girls earning \$12 or more, there is a decrease in the proportion of the wage included in the outlay for wearing apparel. Approximately the same thing can be said of the workers in the factories of New York City. There is the same general tendency of the expenditures for clothing to increase with the increase of earning power until the wage of \$10 has been achieved; then there is a falling in the average expenditure, not significant because of the small number of people earning more than \$10 who reported. Examination of the percentages shows that a bit over twenty per cent. of the income is spent on clothing until the wage of \$8 is reached, and then there is a falling off in the proportion of wages devoted to this purpose, slow until the wage amounts to \$10 and then more rapid. When the reports from the up-state stores are studied the same general tendency shows itself, for the actual expenditure for clothing increases with earnings up to the wage of \$8. The proportion of income expended for this purpose varies, but it is over a fifth, except in one earnings group, until the wage of \$8 is attained, and then falls off. The workers in the up-state factories show a rather less regular increase in the amount expended; nevertheless they keep pretty close to an outlay for clothing of twenty per cent. of their earnings until they attain a wage of \$10.

TABLE XVI
ANNUAL CLOTHING EXPENDITURES OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------|-------------------|
| WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | |
| Cost of Clothing | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$18 to \$18.99 | \$20 to \$20.99 | Not reported | Totals or average |
| 1 \$10-\$19.99 | 1 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 |
| 2 20-29.99 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 11 |
| 3 30-39.99 | 1 | 1 | 3 | 10 | 7 | 1 | 3 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 31 |
| 4 40-49.99 | 2 | 1 | 1 | 7 | 8 | 1 | 4 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 26 |
| 5 50-59.99 | 2 | 5 | 10 | 14 | 17 | 8 | 3 | 3 | 2 | 1 | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 65 |
| 6 60-69.99 | 1 | 1 | 5 | 6 | 10 | 5 | 3 | 2 | 3 | 5 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 35 |
| 7 70-79.99 | 1 | 1 | 5 | 7 | 12 | 11 | 3 | 5 | 5 | 2 | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 56 |
| 8 80-89.99 | 1 | 1 | 3 | 3 | 3 | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 14 |
| 9 90-99.99 | 1 | 1 | 1 | 1 | 5 | 7 | 5 | 7 | 5 | 7 | 4 | 1 | 3 | 2 | 1 | 2 | 2 | 21 |
| 10 100-149.99 | 2 | 8 | 13 | 9 | 11 | 6 | 7 | 4 | 7 | 4 | 1 | 3 | 2 | 2 | 1 | 2 | 2 | 68 |
| 11 150-199.99 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 27 |
| 12 200-249.99 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 10 |
| 13 250 or over | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 5 |
| 14 Total reporting expenditure | 2 | 9 | 23 | 55 | 78 | 69 | 43 | 32 | 16 | 16 | 4 | 9 | 8 | 4 | 2 | 3 | 1 | 374 |
| 15 Average reported | \$50.00 | \$67.55 | \$82.37 | \$92.88 | \$76.79 | \$78.36 | \$85.43 | \$98.20 | \$106.01 | \$119.01 | \$122.50 | \$121.11 | \$134.37 | \$91.50 | \$157.50 | \$266.67 | \$75.00 | \$83.96 |
| 16 Clothing bought or given by relative | 5 | 20 | 29 | 27 | 15 | 11 | 6 | 9 | 1 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 1 | 126 |
| 17 Clothing made by relative | 1 | 1 | 2 | 3 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 73 |
| 18 Unclassified or not reported | 5 | 34 | 28 | 53 | 49 | 46 | 24 | 15 | 7 | 7 | 2 | 5 | 7 | 3 | 3 | 3 | 2 | 287 |
| Totals | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 800 |

Dropping this rather tiresome detailed statement, it is possible to proceed to something more general. In the first place, there is a remarkable resemblance in the expenditures for clothing by the persons employed in the different branches of industry. It might be said that, on the whole, until the wage of \$8 is reached, at least one-fifth of the income, but never very much more than one-fifth, is the average expenditure for wearing apparel; and that for those earning from \$8 to \$11 the expenditure is about 18.5 per cent. of the income. Another uniformity is that of the average per cents. of earnings included in the outlay for clothing, namely, 20.7 per cent. for all the women in the New York City stores, 21.5 per cent. for the women in factories of that city, and 21.1 per cent. for the women in the up-state factories. The lower paid girls in the up-state stores expend on the average 25.3 per cent. Still another interesting similarity is the closeness of the average weekly expenditure for clothing in these groups, namely, \$1.61 by the women in the New York stores, \$1.34 by the women in the New York factories, \$1.58 by the women in the up-state stores, and \$1.48 by the women in the up-state factories. This similarity is especially significant because of the rather close resemblances of the averages for each wage group, when the different occupations are compared as a whole.

The vital question to ask is, "What do these expenditures for clothing mean?" Five lists of the clothing purchased during a year by girls who well knew what their expenditures were, are presented. The first is that of a Troy worker in a shirt factory, a woman of forty-two, who, on a wage of \$7 a week, manages to save \$50 a year. She does her own sewing and is thus able to get through the year with an expenditure of approximately \$36. An examination of her budget will show that she cannot be very well dressed; for instance, there is only one dress allowed, a three dollar one, and no suit at all. Moreover, there is no mention of shirt waists, or of some of the smaller items of clothing, such as ribbons, handkerchiefs, etc. This budget is presented to show what can be done by a woman skilled with a needle and able to economize.

CLOTHING LIST No. 1

*Woman of Forty-Two Years**Winter:—*

| | |
|-----------------|--------|
| Hat | \$3 00 |
| Shoes .. | 2 00 |
| Overshoes .. | 1 40 |
| Stockings .. | 3 00 |
| Corsets .. | 1 00 |
| Dress .. | 3 00 |
| Umbrella .. | 1 00 |
| Underclothes .. | 3 00 |
| Waists .. | 1 50 |

Spring:

| | |
|-----------------|-------|
| Hats | 10 00 |
| Gloves | 1 00 |
| Shoes | 2 00 |
| Stockings | 3 00 |
| Corsets | 1 00 |
| Underwear | 50 |

\$36 40

CLOTHING LIST No. 2

Girl of Eighteen Years

| | |
|---|---------|
| 1 Coat, spring..... | \$12 95 |
| 1 Coat, winter..... | 13 25 |
| 3 Hats at 90c, \$3.25, \$4.25..... | 8 40 |
| (trims them herself) | |
| 2 Skirts at \$2.50, \$4.25..... | 6 75 |
| 2 Waists at \$1.15, 98c..... | 2 13 |
| 8 Corset covers, 6 at 25c; 2 at 50c..... | 2 50 |
| 6 Drawers at 25c..... | 1 50 |
| 3 Corsets at \$1..... | 3 00 |
| 2 Night dresses at 98c..... | 1 96 |
| 1 Union suit at \$1..... | 1 00 |
| 6 Shirts at 15c..... | 90 |
| 4 Petticoats at \$1.98, 50c, \$1.25, 98c..... | 4 71 |

| | |
|---|---------|
| 5 Pr. shoes, 1 at \$2; 3 at \$3; 1 at \$3.50..... | \$14 50 |
| 1 Pr. Stockings a week at 15c..... | 7 80 |
| 1 Umbrella | 2 00 |
| 2 Pr. rubbers at 65c..... | 1 30 |
| 5 Pr. gloves, 2 at \$1; 2 at 25c; 1 at 65c..... | 3 15 |
| 1 Veil | 39 |
| 2 Collars at 59c., 25c..... | 84 |

\$89 03

CLOTHING LIST No. 3

Woman of Twenty Years

| | |
|---------------------------------------|---------|
| 1 Coat | \$13 00 |
| 1 Suit | 15 00 |
| 2 Hats at \$7, \$5.50..... | 12 50 |
| 3 Waists at 98c..... | 2 94 |
| 1 Skirt at \$3..... | 3 00 |
| 2 Petticoats at \$2.50..... | 5 00 |
| 2 Corsets at \$3..... | 6 00 |
| 4 Corset covers at 25c..... | 1 00 |
| 4 Drawers at 25c..... | 1 00 |
| 2 Union suits at 75c..... | 1 50 |
| 4 Shirts at 30c..... | 1 20 |
| 4 Shoes at \$3.50..... | 14 00 |
| 1 Pr. stockings each week at 15c..... | 7 80 |
| 1 Sweater at \$3..... | 3 00 |
| 6 Aprons at 50c..... | 3 00 |
| 3 Dresses at \$5..... | 15 00 |
| 3 Dresses at \$1.50..... | 4 50 |
| 2 Pr. rubbers at 60c..... | 1 20 |
| 1 Umbrella at \$1.50..... | 1 50 |
| 2 Pocket book at 75c | 1 50 |
| 2 Pr. gloves at \$1..... | 2 00 |
| Handkerchiefs at 2 for 5c. | |
| Notions | 3 00 |

\$118 64

CLOTHING LIST No. 4

Woman of Twenty-Two Years

| | |
|--|---------|
| 1 Coat (winter) | \$18 00 |
| 2 Dresses (summer) at \$3.50..... | 7 00 |
| 3 Waists (summer) at \$1..... | 3 00 |
| 2 Waists (winter) 1 at \$2; 1 at \$1..... | 3 00 |
| 3 Petticoats at \$1.98..... | 5 94 |
| 2 Prs. shoes (summer) 1 at \$3.50; 1 at \$4..... | 7 50 |
| 1 Pr. Shoes (winter)..... | 3 50 |
| 20 Prs. Stockings at 25c..... | 5 00 |
| 3 Prs. silk stockings at \$1..... | 3 00 |
| 5 Combination suits at \$1.50..... | 7 50 |
| 6 Shirts at 25c..... | 1 50 |
| 3 Nightgowns at \$1..... | 3 00 |
| 2 Hats (summer) at \$5..... | 10 00 |
| 1 Hat (winter) | 5 00 |
| 2 Pr. gloves (summer) at 75c..... | 1 50 |
| 3 Pr. gloves (winter) 2 at \$1.50, 1 at 50c..... | 3 50 |
| 1 Pr. rubbers | 65 |
| Neckwear | 3 00 |
| 6 Handkerchiefs | 25 |
| 3 Corsets at \$2..... | 6 00 |

\$97 84

CLOTHING LIST No. 5

Young Lady

| | |
|-----------------------------|---------|
| 2 Suits at \$10..... | \$20 00 |
| 1 Coat | 13 00 |
| 2 Dresses at \$3..... | 6 00 |
| 2 Waists at \$1..... | 2 00 |
| 1 Skirt | 3 00 |
| 4 Petticoats at 98c..... | 3 92 |
| 4 Corset covers at 25c..... | 1 00 |
| 4 Drawers at 25c..... | 1 00 |
| 1 Corsets at \$2..... | 2 00 |
| 3 Union suits at 50c..... | 1 50 |
| 4 Shirts at 10c..... | 40 |

| | |
|------------------------------------|---------|
| 6 Shoes at \$3..... | \$18 00 |
| 1 Pr. stockings a week at 10c..... | 5 20 |
| 2 Hats at \$5, and \$3..... | 8 00 |
| Umbrella | 1 25 |
| Sweater | 2 00 |
| 5 Aprons at 50c..... | 2 50 |
| 2 Pr. gloves at \$1..... | 2 00 |
| Furs | 13 00 |
| 3 Night dresses at 75c..... | 2 25 |
| Notions | 3 00 |

\$111 02

No such self-denial can be expected of a younger person subject to temptations of sociability. The next clothing list is one of an eighteen year old sales-girl of Buffalo. She spent approximately \$90, and is very well dressed on that sum. The next budget, one of \$118.64, is that of a twenty year old candy packer in Buffalo. Her accounts show a much better wardrobe than those of the other women. The fourth budget, from a Syracuse sales-girl of twenty-two years, and the fifth, although apparently a bit extravagant in the matter of shoes and furs continue to show that \$100 a year will maintain a fairly decent stock of clothing.

The importance of clothing can hardly be over-estimated. In the first place, clothing is very essential as a protection. That a well-dressed person can endure the cold better than one thinly clad goes without saying. Not quite so widely known is the fact that clothing is, in a sense, a supplement of food. In other words, a warmly dressed individual does not need to eat as much food for the generation of heat as does one less well protected. Thus, food and clothing supplement each other in keeping the body warm. Warmth is important in two ways. In the first place, chills make possible the various ailments known as colds, grip, pneumonia, etc. It has been observed that the number of reported cases of pneumonia in New York City frequently increases greatly after a winter storm. Probably this increase can be largely explained on the ground that improperly clad persons have been chilled when

wet. Of course there are, in the storm, other factors tending to promote disease, but the one here emphasized is important. The second value of warmth lies in its contribution to fitness for one's tasks. A person who has to use the hands in any operations requiring suppleness should have those hands warm when beginning work. Lack of protection means, then, not simply discomfort, but greater difficulty in the performance of one's work.

But clothing should not simply protect from cold and wet; it should be a guard against over-heating. The girl who has to don a winter coat on a stormy summer day is in as much danger as the one who wears a thin coat in winter. Although she may be able to keep off the wet she nevertheless runs the risk of over-heating. Cool clothing is as necessary to health as warm clothing.

Perhaps one other idea deserves mention in this connection. The indirect effect of improper clothing may be great. Garments may be ill-adapted to the persons, either because badly fitted for the weather or because of undue pressures or lack of pressures such as may be experienced by those who wear cheap shoes or badly designed corsets. Such clothes not only cause a temporary discomfort, but continually irritate the nerves, and, in that way, eventually have a noticeable effect on health and efficiency. To illustrate the point, badly lasted shoes may result in the breakdown of the instep. This is not exactly a nervous disease, but is, nevertheless, one which racks the nervous system of the individual affected.

Incidentally, it may be remarked that the care of the clothing during working hours is a matter of great importance. Persons engaged in construction work or, in fact, in muscular labor of any kind, report that they sometimes find their clothing damp when they put it on after a day's work. The girls employed in department stores and factories sometimes have the same experience. At times wraps are stored in damp basements and are wet at the close of the day. This always means discomfort and sometimes illness. So in very intimate and intricate ways is the matter of good clothing connected with health.

Not only must clothing furnish protection against extremes of weather, but it must serve to heighten efficiency of work. Of course, some trades require articles designed to prevent wear or

to give free play to particular muscles, but this matter of efficiency is far more complicated. Simple comfort on hot or cold days is not only vital as a matter of health, but is important through its effect on output. Just as it has been found through some of the experiments in scientific management, that easy seats for girls in certain occupations enable them to accomplish more work by relieving nervous irritation, so comfort in dress allows concentration of the faculties on the work. This means, in other words, that there may result from uncomfortable clothing a constant subconscious irritation distracting attention.

In a third way, is the matter of clothing of great significance, namely, in its two-fold influence upon the self-respect of individuals. The direct effect is well illustrated by the story of Mrs. N. This woman had been well off, but her husband died, making it necessary for her to go to work. Before the purchase of her last pair of shoes, Mrs. N. felt that her clothes and footwear were too shabby for her to go out on Sunday until after dark. "It was nearly eight o'clock when we started out for a walk last Sunday. My niece and I decided to walk on the quiet streets, when suddenly we realized we were on Delaware Avenue where all the swell people are. It wasn't so bad after all. People didn't notice my old shoes and worn black dress as much as I thought; but I don't think I'll do it again." The incident serves to illustrate the widely recognized fact that one well dressed, one who feels clean and neat, experiences also a certain comfortable sensation which enables her to believe in herself. Conversely, one can hardly feel self-esteem if shabbily clad.

Closely akin to this direct effect of good clothing in producing self-respect is the indirect effect. The well-dressed woman is apt to receive more courteous attention than her poorly clad sister. This manifests itself in various ways; the well-dressed girl stands the better chance of receiving invitations to various "affairs." This matter of respect from others is important because the person who is well treated begins to consider herself deserving of good treatment. Respect begets self-respect.

Very little different from the foregoing is the function of clothes in "society" and religion. To many girls, as will be shown later, the prime business of life seems to be the winning

of a husband. This business must be carried on indirectly, through sociable intercourse, and sociability is well-nigh impossible without proper raiment. This point may be illustrated in the language of Flora A. who lives with another girl in Albany. Every week each lays by a part of her \$7 wage for clothes, because, as she says, "you have to sit in the house every Sunday until you do," meaning that she cannot go out and meet people until she has saved enough to buy the proper garments. These two girls economize by going around from one lunch-room to another. This practice is cheaper than engaging regular board, because, when they are invited out to a meal, and they seem to plan to receive as many "bids" as possible, they do not have to pay for food which they do not consume. In short, to take part in sociable life, or to go to church and to feel comfortable there instead of experiencing the sensation of being "among a bunch of peacocks," one must be properly clad.

Another function of clothing is its use as a business asset. This is particularly true in the occupations where one must meet people frequently. The department store furnishes an example par excellence of the business value of good clothing. The saleswoman must make a favorable impression. Neatness may be the foundation of this impression, but it is not all; there are many little features of dress which are apparently trifles but which are absolutely necessary to completeness. No saleswoman seems to have judgment worthy of trust unless she shows by her appearance that she knows the styles and the proper uses of things. These little points are extremely important; the salesgirl knows it; and that is frequently why she falls into extravagance.

In view of the undoubted importance of good clothing as a business asset, it can hardly be a matter of wonder that the department store girls are prompted to over-estimate the value of dress. But there are other reasons for this exaggeration. They are continually handling beautiful articles, they are seeing these nice things worn. The sight and the touch excite imagination and longing. This longing is increased by the practice in some stores where the girls are given fifteen minutes a day away from their counters in order that they may make purchases in other departments. One young thing, who had better taste than

judgment, decided to put more than a week's wages into a lovely kimona. Luckily an older woman persuaded her that the purchase would be a foolish extravagance. But another girl, not so fortunate in having a good adviser, fell before temptation and purchased a "perfect dream of a" \$49 suit for \$37.50. For this bargain she paid at the rate of \$3.50 a week out of her \$5 wages. Installment buying is, in some of its features, a curse to many of the girls, for it encourages indulgence. This indulgence is incited by the custom in many stores of allowing their help to purchase from new stock, payment to be made by a weekly deduction from wages. One young lady, for instance, Evelyn W., who earns \$6 a week, buys all her clothing from her employer. She was usually paying \$2 a week on her debts to the store, but when the interview occurred her payment was \$3, half of her wages.

Clothing, then, is a matter of vital importance — a matter that impresses its importance on the minds of girls and particularly of store girls. It is a bit dangerous to say how much is required to properly clothe a girl. Nevertheless, the following estimate has been made after a careful study of a very large number of lists of the clothing actually bought by girls during a year. It has been criticised by several persons of undoubted competence. It is offered not as an attempt to say that exactly these things should be purchased by a girl during the course of a twelve-month, but to show how a small sum may be effectively distributed in the purchase of garments. As a tentative suggestion of what can be done, therefore, the following is submitted as a possible distribution of yearly expenditure for clothing by a woman earning her own living.

SPECIMEN LIST OF A YEAR'S SUPPLY OF CLOTHING FOR A WORK-
ING WOMAN

| | |
|--|--------|
| Union suits, 3 at 50 cents; 3 at 75 cents..... | \$3 75 |
| Corsets, 2 at \$1.50..... | 3 00 |
| Corset covers, 6 at 25 cents..... | 1 50 |
| Underskirts..... | 1 50 |
| Stockings..... | 3 00 |

| | |
|---|--------|
| Wash dresses, 2 | \$7 00 |
| Party dress | 15 00 |
| Skirts, 1 at \$2.50; 1 at \$5..... | 7 50 |
| Shirt waists, 6 at 75 cents..... | 4 50 |
| Shoes, 2 pairs at \$3.50, plus \$2 repairs..... | 9 00 |
| Heavy waist | 2 00 |
| Hats, 1 at \$5; 2 at \$2.50..... | 10 00 |
| Coat, winter, 1/2 of \$12..... | 6 00 |
| Coat, spring or rain, 1/2 of \$8..... | 4 00 |
| Gloves | 1 50 |
| Rubbers, 2 pairs at 65 cents..... | 1 30 |
| Umbrella | 1 00 |
| Night dresses, 2 at 50 cents | 1 00 |
| Handkerchiefs | 60 |
| Miscellaneous | 4 85 |

\$88 00

Highly desirable additions:

| | |
|---------------------------------|------|
| Suit, 1/2 of \$15..... | 7 50 |
| Slippers, 1/2 of \$1..... | 50 |
| Gloves, white for parties | 1 00 |

\$97 00

This list, as will be seen, presumes that the girl dresses in shirt waists and skirts, no allowance being made for a suit in the primary estimate. There are two items at which criticisms might be levelled, namely, the amount allowed for shoes, and that for stockings. Most girls do not spend \$3.50 for a pair of shoes, but it is thought, after considering the actual expenditures of many, that the outlay for shoes will amount to about the same sum whether expensive grades or cheap ones are purchased. About the same thing may be said of hosiery.

In view of the uniformity of clothing expenditures by girls all over the State employed in the four industries studied, it seems safe to conclude that \$88 is about the minimum annual expendi-

ture that will afford a working woman decency in dress. In some occupations, perhaps, some economies could be realized, in others greater expenditures would certainly be needed; but the matter may be summed up by saying that a girl may respectably clothe herself on between \$85 and \$90 and that she can maintain a fairly good appearance with about \$100.

LAUNDRY

Closely related to the maintenance of a stock of clothing is its care, and, of course, a large part of this care is directed to keeping the garments clean. Laundry, therefore, may be considered an important part of the expenditure for clothing. This importance is by no means simple, for the way in which the cleansing is done has, as is well known, a large influence on the life of the article. In consideration of these facts, it may seem surprising that a very small proportion of the employees in the industries investigated had laundry bills. Only 60 out of the 408 women employed in the up-state stores, only 50 out of 800 in the New York City stores and but 17 out of 531 in the factories of that city report an expenditure of money for laundry. The average outlay for this purpose was remarkably uniform, varying for the different groups from 53 cents among up-state store employees to 68 cents among the up-state factory girls, but this 68 cents is hardly a significant figure because so few of the girls reported. Those who did report expenditures for this purpose used, for the most part, between 25 cents and 75 cents a week with a considerable proportion spending just about 50 cents.

Since so few girls and women send articles to laundries, it is not surprising to find a large proportion washing their own clothes. Among those living up-state this proportion is much smaller than in New York City. For instance, of the girls employed in the up-state stores only 65 did their own washing and in the factories 33, in each case approximately one-seventh of all. In New York City, on the other hand, 112 or one-fifth of the factory employees performed this service for themselves. A large number had their washing done with that of the family in which they resided, but a still greater proportion reported "no expenditure" for this purpose. Just how this phrase should be inter-

TABLE XVII
PROVISIONS FOR LAUNDRY OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | Total or average |
|--|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | |
| PROVISION FOR LAUNDRY | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | \$19 to \$19.99 | \$20 to \$24.99 | Not reported |
| 1 Weekly expenditure under \$0.25..... | | | | | | | | | 1 | | | | | | | | | | 1 |
| 2 \$0.25-\$0.49..... | | | | 1 | 5 | 3 | 1 | 3 | | | | | | | | | | | 13 |
| 3 \$0.50-.74..... | | | | 2 | 4 | 4 | 1 | 5 | | 2 | | | | | | | | | 19 |
| 4 .75-.99..... | | | | | | | 1 | 1 | 2 | | | 4 | 1 | | | | | | 9 |
| 5 1.00-1.24..... | | | | | | | 2 | | | | | 1 | | | 1 | | | | 6 |
| 6 1.25 or over..... | | | | | 1 | | 1 | | | | | | | | | | | | 2 |
| 7 Total reporting expenditure..... | | | | | 10 | 9 | 6 | 9 | 3 | 2 | | 5 | 2 | 1 | | | | | 50 |
| 8 Average expenditure..... | | | | \$0.42 | \$0.45 | \$0.53 | \$0.53 | \$0.44 | \$0.53 | \$0.50 | | \$0.50 | \$0.63 | \$1.00 | | | | | \$0.57 |
| 9 Reported expenditure..... | 2 | 23 | 28 | 69 | 44 | 27 | 23 | 6 | 2 | 5 | 3 | 1 | 3 | 3 | 1 | | | | 241 |
| 10 Did own laundry..... | | 2 | 5 | 5 | 14 | 14 | 6 | 7 | 4 | 6 | | | | | | | | | 68 |
| 11 Laundry done as part of board..... | 8 | 38 | 47 | 52 | 57 | 61 | 34 | 28 | 12 | 7 | 1 | 5 | 5 | 3 | 1 | 3 | 1 | | 383 |
| 12 No report..... | 2 | 1 | 2 | 9 | 20 | 16 | 4 | 7 | 4 | 6 | 2 | 3 | 2 | | | | | | 78 |
| 13 Totals..... | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | | 800 |

puted is difficult to say. Undoubtedly some who thus expressed themselves, meant that they did their own washing, while others meant that their mothers or landladies did it for them.

There can be little doubt that the girls who do their own laundry entire, and those who simply do their own ironing after their landladies have washed, which is perhaps the most usual case, are subject to an expenditure of energy which should not be required of one who works hard during the day. In Buffalo, the investigators encountered a married woman who not only worked all day in a shirt factory, but had, in addition, the care of her family. She did her laundry work and that of the rest of the family "for amusement," she said. Her case must have been a very exceptional one. When one considers that the store girls and a large proportion of those employed in the factories are on their feet most of the day, it can readily be seen that this laundry work is disadvantageous to their health.

It may be noted in passing that several of the philanthropic homes for girls in New York City provide facilities for washing clothes and electric irons for pressing them. This enables the girls to economize.

In summary, then, it may be said that a very small proportion, approximately one-sixth or one-seventh of the employed women, report doing their own washing and ironing; a considerable number iron what their mothers or landladies have washed; and a very few do their entire laundry. Those few who pay the regular laundries for work have to expend, on an average, about fifty cents a week. Fifty cents is a large proportion of a \$5 wage and not a small proportion of a \$10 wage. So, either in money or in energy, laundry must be considered a very important factor in the expenditures of working women.

FOOD AND SHELTER

On the schedule there were five questions concerning food and shelter. Each woman was asked whether she contributed anything to the support of her family, where she boarded, and what the board cost, what was the expense of her furnished room, and how much she paid weekly for lunches. As soon as tabulation had been begun, it was evident that there were three practical diffi-

culties arising from these questions. In the first place, a considerable number of the girls, 215 out of the 800 employed in the New York stores, for example, carried their lunches from their homes or boarding places. Now it was obviously impossible to compare the board paid by these with that of their sisters who bought their lunches over the counter or who ate at noon in some restaurant. So the attempt had to be abandoned. In the second place, it was impossible to separate the charge for board from the charge for lodging. When the average girl is asked what she pays for board she will state what she pays for her meals and her room, never stopping to distinguish between them. This is but natural, as, in making their agreements, landladies and their guests almost invariably lump the two. A few landladies, indeed, were found who could make this distinction, but they were rather rare. Of course it should be noted that there are rooming districts where the meals are generally obtained in one house and the lodging in another. These districts, however, are not very thickly inhabited by the factory girls. In New York City it was difficult to locate the dwellings of the store employees, because, in the interviews, they were known to the investigators by number only. Although the managers of the stores offered to give any additional information desired, it was found impracticable to return and secure addresses, especially after the experiences noted above in following up the factory women. So, for this investigation, it was found necessary to lump the cost of board, room and lunches in order to make comparisons of the expenditures of girls in the different wage and industrial groups for food and shelter.

The third practical difficulty was in the comparison of the expenditures of the girls who live at home with those of the women who live with friends or relatives, or, with strangers. Those who live at home very seldom report a payment for board, but almost invariably make a contribution to the family. Can this contribution to the family properly be considered a payment for board? Because this question is difficult to answer, in Table XV the women have been divided into three classes:—first, those living independently, mostly those who dwell with strangers, although a few were included who live in their own rented apart-

ments; second, women living with friends or relatives; and, finally, women living at home. Table XV is supplemented on this subject by several other tables, namely, those numbered from XVIII to XXI inclusive in the text and those in Appendix IV numbered from 3 to 7. Most of those living at home and reporting a contribution to the family said that they had so given "all" of their wages. This makes it necessary to make a precautionary remark concerning the interpretation of the figures in Table XV. In treating the employees of the stores in New York City, as recorded in Table XV, only those who reported the exact amount of their contribution in dollars and cents were considered in striking the averages. Those who said that they contributed "all" were separately classified.* Out of the 533 who lived at home only 112 gave the exact amount of their contribution while 369 said they contributed "all." A similar method was followed in compiling Table 4 of Appendix IV. The figures in Table XVIII appear on line 4 of Table XV but, for all the other groups of women considered, the contribution to the family has been considered as the exact amount of the wage if the individual reported contributing "all."

Turning, then, to the women who live at home and who contribute to the family income, this may be said: among the New York City store employees there seems to be a general tendency for the contribution to increase with the increase in wages, but the per cent. of the earnings contributed to the family diminishes as the incomes grow larger. The average contribution amounted to \$4.53 a week or 58.4 per cent. of the weekly earnings. Among the New York city factory employees, for whom the different system of tabulation just noted was used in Table XV, the mean weekly contribution to the family was \$5.70, or nine-tenths of the average wage. Similarly, among the up-state store women an average contribution of \$4.54 was nearly three-fourths of the earnings, and among the factory girls the average contribution of \$5.64 was approximately four-fifths of the average earnings. These figures show what a large proportion of the income of the working girl who lives at home is turned over to the parents for the reinforcement of the household purse.

* See Table XVIII.

TABLE XVIII
WEEKLY CONTRIBUTIONS TO FAMILY TREASURY OF 533 WOMEN EMPLOYED IN STORES IN NEW YORK CITY AND LIVING AT HOME BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | Total or average |
|--|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | |
| CONTRIBUTIONS TO FAMILY | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | \$19 to \$19.99 | \$20 to \$24.99 | Not reported |
| 1 Under \$2..... | 1 | | | | | | | | | | | | | | | | | | 2 |
| 2 \$2.00-\$2.49..... | | | | | | | | | | | | | | | | | | | 3 |
| 3 2.50-2.99..... | | | | | | | | | | | | | | | | | | | 3 |
| 4 3.00-3.49..... | | | | | | | | | | | | | | | | | | | 18 |
| 5 3.50-3.99..... | | | | | | | | | | | | | | | | | | | 7 |
| 6 4.00-4.49..... | | | | | | | | | | | | | | | | | | | 20 |
| 7 4.50-4.99..... | | | | | | | | | | | | | | | | | | | 9 |
| 8 5.00-5.49..... | | | | | | | | | | | | | | | | | | | 25 |
| 9 5.50-5.99..... | | | | | | | | | | | | | | | | | | | 3 |
| 10 6.00-6.49..... | | | | | | | | | | | | | | | | | | | 10 |
| 11 6.50-6.99..... | | | | | | | | | | | | | | | | | | | 1 |
| 12 7.00-7.99..... | | | | | | | | | | | | | | | | | | | 5 |
| 13 8.00-8.99..... | | | | | | | | | | | | | | | | | | | 5 |
| 14 9.00-9.99..... | | | | | | | | | | | | | | | | | | | 1 |
| 15 Total reporting exact contribution..... | 3 | 11 | 20 | 27 | 21 | 21 | 8 | 6 | 6 | 6 | 6 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 112 |
| 16 Average..... | \$3.50 | \$3.86 | \$3.88 | \$4.43 | \$4.43 | \$4.40 | \$4.59 | \$6.25 | \$5.58 | \$5.83 | \$6.00 | \$5.50 | \$5.00 | \$0.00 | \$3.00 | \$3.00 | \$3.00 | \$3.00 | \$4.53 |
| 17 Contributed "All"..... | 11 | 44 | 53 | 80 | 67 | 41 | 23 | 24 | 9 | 5 | 2 | 2 | 2 | 1 | 4 | 1 | 1 | 2 | 369 |
| 18 *Not reported..... | 1 | 4 | 1 | 1 | 4 | 15 | 4 | 2 | 1 | 1 | 1 | 1 | 2 | 3 | 1 | 1 | 1 | 1 | 52 |
| 19 Totals..... | 12 | 51 | 65 | 111 | 98 | 77 | 35 | 32 | 16 | 12 | 3 | 5 | 5 | 6 | 1 | 2 | 2 | 2 | 533 |
| 20 Reported contributed "all" but spent money for some things..... | 11 | 42 | 51 | 78 | 65 | 40 | 22 | 24 | 9 | 5 | 2 | 2 | 2 | 1 | 4 | 1 | 1 | 2 | 359 |

* Includes 10 reporting contributions



LUNCH HOUR IN A FACTORY DISTRICT.

TABLE XVIII
WEEKLY CONTRIBUTIONS TO FAMILY TREASURY OF 533 WOMEN EMPLOYED IN STORES IN NEW YORK CITY AND LIVING AT HOME BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | | Total average | XIX |
|-------------------------|--|-----|----|---|----|-----|------|----|---|----|-----|------|-----|----|-----|------|-------|--|--|------------------|--------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | | | | |
| CONTRIBUTIONS TO FAMILY | | | | | | | | | | | | | | | | | | | | | |
| 1 | Under \$2. | | | | | | | | | | | | | | | | | | | | 2 |
| 2 | \$2.00-\$2.49 | | | | | | | | | | | | | | | | | | | | 3 |
| 3 | 2.50-2.99 | | | | | | | | | | | | | | | | | | | | 3 |
| 4 | 3.00-3.49 | | | | | | | | | | | | | | | | | | | | 18 |
| 5 | 3.50-3.99 | | | | | | | | | | | | | | | | | | | | 7 |
| 6 | 4.00-4.49 | | | | | | | | | | | | | | | | | | | | 20 |
| 7 | 4.50-4.99 | | | | | | | | | | | | | | | | | | | | 9 |
| 8 | 5.00-5.49 | | | | | | | | | | | | | | | | | | | | 25 |
| 9 | 5.50-5.99 | | | | | | | | | | | | | | | | | | | | 3 |
| 10 | 6.00-6.49 | | | | | | | | | | | | | | | | | | | | 10 |
| 11 | 6.50-6.99 | | | | | | | | | | | | | | | | | | | | 1 |
| 12 | 7.00-7.99 | | | | | | | | | | | | | | | | | | | | 5 |
| 13 | 8.00-8.99 | | | | | | | | | | | | | | | | | | | | 5 |
| 14 | 9.00-9.99 | | | | | | | | | | | | | | | | | | | | 1 |
| 15 | Total reporting exact contribution | | | | | | | | | | | | | | | | | | | | 112 |
| 16 | Average | | | | | | | | | | | | | | | | | | | | \$4.53 |
| 17 | Contributed "All" | | | | | | | | | | | | | | | | | | | | 369 |
| 18 | *Not reported | | | | | | | | | | | | | | | | | | | | 52 |
| 19 | Totals | | | | | | | | | | | | | | | | | | | | 553 |
| 20 | Reported contributed "all" but spent money for some things | | | | | | | | | | | | | | | | | | | | 359 |

* Includes 10 reporting contributions



LUNCH HOUR IN A FACTORY DISTRICT.

TABLE XIX
WEEKLY COST OF BOARD, LODGING AND LUNCHESES OF 140 WOMEN EMPLOYED IN STORES IN NEW YORK CITY AND LIVING WITH FRIENDS OR RELATIVES BY WEEKLY EARNINGS

| I | | | | | | | | | | | | | | | XV |
|---|-----------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------|------------------|----|
| WEEKLY COST OF BOARD, LODGING, AND LUNCHESES | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | Total average or | |
| | WEEKLY EARNINGS | | | | | | | | | | | | | | |
| \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$20 to \$24.99 | | | |
| 1 Under \$3.00..... | 2 | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 6 | |
| 2 \$3.00-3.49..... | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 | |
| 3 \$3.50-3.99..... | 1 | 3 | 4 | 4 | 5 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 19 | |
| 4 4.00-4.49..... | 1 | 2 | 4 | 3 | 3 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 15 | |
| 5 4.50-4.99..... | 1 | 1 | 1 | 2 | 3 | 6 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 13 | |
| 6 5.00-5.49..... | 1 | 1 | 1 | 1 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 14 | |
| 7 5.50-5.99..... | 1 | 1 | 1 | 2 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 10 | |
| 8 6.00-6.99..... | 1 | 1 | 1 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 | |
| 9 7.00-7.99..... | 1 | 1 | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 4 | |
| 10 8.00-8.99..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | |
| 11 9.00-9.99..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | |
| 12 10.00 and over..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | |
| 13 Total reporting exact cost..... | 4 | 10 | 14 | 19 | 21 | 15 | 8 | 2 | 5 | 2 | 1 | 1 | 1 | 102 | |
| 14 Average cost..... | \$2.84 | \$3.97 | \$4.22 | \$4.57 | \$4.60 | \$4.56 | \$4.93 | \$4.60 | \$7.33 | \$8.25 | \$8.00 | \$11.50 | \$4.74 | | |
| 15 Report, "contributed all"..... | 6 | 7 | 4 | 5 | 1 | 1 | 1 | 2 | 2 | 3 | 3 | 3 | 3 | 28 | |
| 16 Report cost..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 3 | |
| 17 No report..... | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 | |
| 18 Totals..... | 11 | 17 | 18 | 26 | 24 | 17 | 10 | 3 | 8 | 1 | 2 | 2 | 1 | 140 | |
| 19 Report contributed "All" but personally spent money..... | 6 | 7 | 4 | 5 | 1 | 1 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 25 | |

A further analysis of the data may be worth while. When the separate industrial groups are considered it may be noticed, comparing Tables 4 in Appendix IV and XVIII, that the average contributions made by the store women of New York City, who reported the exact amounts given, are higher by approximately thirty cents than those of the factory girls. This may doubtless be accounted for on the ground that the store girls enjoy higher wages. So the apparent inconsistency in Table XV is explained.

It is now time to analyze the phrase "contributed all." Of the 533 New York City store women who live at home 369 reported that they contributed "all" to the family purse. Of those 369, however, 359 report the expenditure of money for other objects such as lunches, clothing, or amusements. Approximately the same thing is true of the factory employees in that city. The custom seems to be that the girl who lives at home presents her pay envelope to her mother at the end of the week. The mother returns to her, sometimes in small bits, money for her necessary expenditures, and, occasionally, a little for amusements.

Another interesting fact to be noted in the table is the approximate equality of the amount contributed to the household by the women employed in the factories in New York City (\$5.70) and in the factories up-state (\$5.64). The similarity in the average, however, does not seem to arise from a similarity of payment from particular wage groups.

Still another point brought out in the table is that the contributions made by the factory workers up-state average higher, and are higher in proportion to earnings when the separate wage groups are considered, than are the contributions made by the store women. Why this is so is very difficult to say *a priori*. There is one probable explanation, namely, that the store girls, having to keep up a better appearance than their sisters of the factory, are more apt to reserve something for their own expenditure.

When attention is directed to those women who reside with friends or relatives, the remarkable similarity of the average of payments in the different groups is noticeable. Among the employees of the New York City factories the average weekly cost of board, lodging and lunches for the women living with relatives or friends was \$3.15, of the up-state stores, \$3.03, and of the up-



LUNCH HOUR IN A FACTORY DISTRICT.

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LUNCH HOUR IN A FACTORY DISTRICT.

TABLE XX
WEEKLY COST OF BOARD, LODGING, AND LUNCH OF 125 WOMEN EMPLOYED IN STORES IN NEW YORK CITY AND LIVING INDEPENDENTLY BY WEEKLY EARNINGS

| WEEKLY COST OF BOARD, LODGING, AND LUNCH OF 125 WOMEN EMPLOYED IN STORES IN NEW YORK CITY, 1916 | | | | | | | | | | | | | | | | |
|---|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------|
| I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | |
| WEEKLY EARNINGS | | | | | | | | | | | | | | | | Totals or average |
| WEEKLY COST OF BOARD, LODGING, AND LUNCH | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | No report |
| 1 Under \$3.00..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 |
| 2 \$3.00-3.49..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 |
| 3 3.50-3.99..... | 1 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 6 |
| 4 4.00-4.49..... | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 |
| 5 4.50-4.99..... | 1 | 3 | 6 | 4 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 19 |
| 6 5.00-5.49..... | 1 | 1 | 6 | 9 | 1 | 2 | 2 | 2 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 20 |
| 7 5.50-5.99..... | 1 | 7 | 5 | 5 | 5 | 6 | 2 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 25 |
| 8 6.00-6.49..... | 1 | 8 | 1 | 2 | 1 | 3 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 |
| 9 6.50-6.99..... | 1 | 6 | 9 | 1 | 3 | 1 | 1 | 2 | 2 | 1 | 4 | 1 | 1 | 1 | 1 | 10 |
| 10 7.00-7.99..... | 1 | 10 | 7 | 3 | 1 | 1 | 1 | 2 | 1 | 1 | 4 | 1 | 1 | 1 | 1 | 11 |
| 11 8.00-8.99..... | 1 | 1 | 8 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 |
| 12 9.00 or over..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 3 |
| 13 Total reporting expenditure..... | 2 | 7 | 19 | 24 | 10 | 15 | 6 | 6 | 5 | 1 | 7 | 7 | 1 | 1 | 1 | 2 |
| 14 Average expenditure..... | \$3.30 | \$4.27 | \$4.99 | \$5.18 | \$5.62 | \$5.53 | \$6.56 | \$6.51 | \$6.00 | \$7.01 | \$7.27 | \$6.50 | \$9.20 | ..... | ..... | \$5.59 |
| 15 No report..... | 1 | 1 | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 |
| 16 Totals..... | 2 | 8 | 20 | 26 | 21 | 15 | 6 | 6 | 2 | 7 | 8 | 1 | 1 | 1 | 1 | 125 |

state factories \$3.12. But the store women in New York City had to pay more, \$4.74. This similarity in the averages is not, however, consistently borne out when the individual wage groups are compared. Nevertheless, enough can be obtained from the comparisons to prove that it is usually cheaper to reside with friends or relatives than to live independently, for in every large industrial group, and in most wage groups, the average expenditures for board, lodging and lunches of the women living independently are higher than those of the women living with friends and relatives.

The conclusions, therefore, are as follows:— First, the girl living with friends or relatives spends less for food and shelter than the one living independently. Second, the woman living at home contributes to her family more than the woman living in either other condition. Third, the expenditure for these purposes comprises a very large proportion of the wages, amounting, in the case of the women living independently and working in the New York City stores, to over 70 per cent. of their earnings and to much higher proportions in some of the lower wage groups.*

Just what sum is the typical expenditure for board is hard to say. In the New York City stores, however, over 55 per cent. of all the women living independently pay for their board, lodging and lunches from \$4.50 to \$5.99 a week. It seems reasonable, therefore, to conclude that the normal commercial cost of room and meals must lie within this range. The factory girls in New York City who reported on these items are too few to warrant comparisons. When those living with friends and relatives are considered, however, it is apparent that nearly three-fourths of them receive their food and lodging for less than \$4 a week. But, as will be seen on comparison of Tables XXII and 5 of Appendix IV, the women working in the stores and similarly domiciled have, on the whole, to pay more.

One other set of facts should be noted, namely, the nature of the reported expenditures for lunch. There is no very definite connection between the wages earned and the amount laid out for this purpose. A study of Tables XXI and 7 of Appendix IV will show, however, that there is a marked concentration of expendi-

* For instance, the New York factory girls who earn from \$4 to \$4.99 report an outlay of 99 per cent. of their earnings for shelter and lodgings, and the women living independently and employed in the up-state stores earning between \$5 and \$5.99 expend 81 per cent. of their wages thus.

| I WEEKLY COST OF LUNCHES | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | XIX Total or average |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------|--------|-------------------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | | |
| | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$18 to \$18.99 | \$20 to \$24.99 | Not reported | | |
| 1 Under \$0.20..... | | | | | | | 1 | | | | | | | | | | | 1 | |
| 2 \$0.20-\$0.29..... | | | | | | | | | | | | | | | | | | 2 | |
| 3 30-39..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 6 | |
| 4 40-49..... | 1 | | | | | | | | | | | | | | | | | 4 | |
| 5 50-59..... | | 2 | 1 | | | | | | | | | | | | | | | 6 | |
| 6 60-69..... | 2 | 5 | 6 | 8 | 10 | 7 | 2 | 4 | | 1 | | | | | | | 1 | 46 | |
| 7 70-79..... | 4 | 4 | 3 | 3 | 5 | 5 | 7 | | | | | | | | | | | 27 | |
| 8 80-89..... | | 1 | 2 | 2 | 2 | 2 | | | | | | | | | | | | 6 | |
| 9 90-99..... | 4 | 10 | 14 | 31 | 29 | 23 | 16 | 7 | 6 | 3 | 1 | 1 | 2 | | | | 1 | 148 | |
| 10 1.00-1.09..... | | 2 | 2 | 2 | 15 | 10 | 5 | 6 | 5 | 4 | 1 | | | | | 1 | | 55 | |
| 11 1.10-1.19..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | | | | | | | | | | 4 | |
| 12 1.20-1.29..... | 1 | 1 | 2 | 18 | 19 | 26 | 9 | 16 | 4 | 5 | 3 | 2 | 3 | 1 | | | 1 | 110 | |
| 13 1.30-1.39..... | | | 1 | 1 | 2 | 2 | 1 | 1 | 1 | 2 | | | | | | | | 7 | |
| 14 1.40-1.49..... | | | | | | | | 1 | | | | | | | | | | 1 | |
| 15 1.50 or over..... | | | 2 | 2 | 8 | 9 | 8 | 5 | 3 | 4 | | 6 | 6 | 3 | 1 | 2 | | 59 | |
| 16 Total reporting expenditure..... | 8 | 27 | 30 | 75 | 90 | 86 | 40 | 39 | 14 | 19 | 2 | 10 | 10 | 6 | 2 | 3 | 3 | 473 | |
| 17 Average expenditure..... | \$0.69 | \$0.75 | \$0.84 | \$0.97 | \$0.99 | \$1.04 | \$1.05 | \$1.12 | \$1.18 | \$1.21 | \$0.95 | \$1.40 | \$1.38 | \$1.35 | \$1.35 | \$1.33 | 1 | \$1.02 | |
| 18 Lunch taken as part of board..... | 4 | 29 | 37 | 42 | 39 | 20 | 16 | 12 | 5 | 6 | 1 | 2 | 1 | 1 | | | | 215 | |
| 19 Some lunch taken from home and some purchased..... | 6 | 14 | 16 | 9 | 14 | 7 | 7 | 3 | 3 | 3 | 1 | 1 | 1 | | | | | 70 | |
| 20 No report..... | | 2 | 1 | 5 | 7 | 7 | 1 | 1 | 3 | 6 | 2 | 3 | 1 | 4 | | | | 42 | |
| 21 Total..... | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 800 | |

ture on sums such as 60 cents, 90 cents and \$1.20. In other words a great many girls seem to limit themselves to 10 cents, 15 cents or 20 cents per day. The group averages of expenditures for lunch shown in Table XV, it will be noted, vary little from 15 cents a day. That a great many of the girls carry their lunches from home has been previously noted. This seems to be practiced more frequently by those who work in the factories than by those in the stores. A few take something with them and buy an additional dish, frequently a cup of coffee or a bowl of soup, or something else that is warming.

The question now arises whether the lot of the woman who lives at home is better or worse than that of the one who lives independently. As has been noted, the home dweller gives, on the average, more to her family than the others pay for board and lodging. On the other hand, she certainly does not thus contribute as much as the statistics would make it appear, for she almost invariably has a refund for amusement and for clothing. In some cases the mother takes entire charge of her expenditures, purchasing her clothes even down to the most insignificant articles. One young lady of German descent, for instance, earned about \$6 a week in the millinery trade. Her mother was possessed of consummate skill in the art of buying. Thus, the girl always looked nice and yet kept within these very small means. Had she been thrown upon her own resources there is every reason to believe that she would quickly have been bankrupted.

That is one side of the case. On the other hand, the family very frequently looks upon the daughter as a piece of productive property which should be invested to the best advantage until the time comes when it must be lost through marriage. Miss Montgomery has noticed in studying Chicago families of foreign origin, that this feeling is at times carried so far that the shorter the probable time between leaving school and marriage, the more intensely does the mother press the girl to work. The quotation appended in the note shows very well the attitude that has been discovered in Chicago.* Approximately the same thing is true

* "The girl begins her work in response to the family standard that demands the wages of children, and she remains amazingly docile in supplying the family need. (From time immemorial the economic value of the woman has been estimated in terms of the immediate needs of the family.) The customary duties of wife and mother are accepted as a matter of course and

among the people of these races in New York. The older girls may be able to break away from the necessity of contributing all to their household purse. There is something significant in the fact, previously developed, that the women who live independently are older than those who live at home. It means apparently this, that the older women, those who are able to earn more, can assume an attitude that will compel their parents to accept a reasonable fee for board, whereas the younger ones, who are earning less money, are more helpless. They cannot afford to be thrown on their own resources. Where the balance of advantage and disadvantage lies, then, it is impossible to say. Numbers of the girls living at home are subsidized. Other numbers, probably as large, are virtual slaves to the family need.

every girl is expected, after a temporary season of wage-earning, to go from the home of her father to that of her husband. 'Economic independence' for the woman in a sense conveyed by the modern use of these words is as yet unknown and incomprehensible. It follows that what the girl earns is easily appropriated by the parents and, broadly speaking, obediently surrendered by the girl. Among the three hundred girls between sixteen and twenty-four years of age, there are 290 who have no independent control of their own wages. That is, what they earn goes into the common family fund and they receive back again from the mother what she decides they require for carfare, lunches, amusements, and clothes. Girls sometimes complain that they do not have enough 'returned' to them in spending money and in 'the kind of clothes other girls wear.' If the mother is indulgent with her daughter's desire for evening pleasures and some of the novelties and frivolities of fashion, there is little friction; if she fails to recognize these legitimate demands of youth, the distance between mother and daughter is widened, although among the five hundred girls their instinctive devotion to the family claim has been strong enough to keep them obedient. When the son begins to feel that he should no longer surrender his entire wage to his mother, this same dispute is promptly handled in a different manner. A definite sum, usually from \$3.00 to \$5.00 a week is exacted from him, proportioned according to his wage and the amount the mother thinks she can demand and still keep him loyal to the family. This sum entitles him to board, lodging, and laundry. 'Boys can run away if you don't do the right thing by them,' says the foreign mother, 'and of course you wouldn't treat boys the way you do girls.' Girls sometimes complain of the superior attitude of the brother, but at the same time, they bow before it. Those who are earning more than either the father or the son accept a position in the household that forces them to coax, cry, or quarrel with the mother whenever they wish independent spending-money. With ten girls of this group, rebellion reached a climax. They demanded and secured an equal right with the brother to pay a fixed sum for board."

Louise Montgomery, "The American Girl in the Stockyards District," pp. 57-58.

Consideration of this matter of board and shelter has brought to light many cases such as that of Lillian P., a twenty-six year old saleswoman of Albany. Having had four years' experience she is now earning but \$5 a week. She boards with cousins and says: "If I had to live with strangers my salary would not suffice." Similarly many others could not pay board on a really commercial basis. Another long series of illustrations may be taken from the girls who live in the subsidized homes. For instance, Elizabeth V., who works part time in a New York City store, earns but \$3 a week. She has to pay \$2 for a room in the house and manages to subsist on from seven to ten meals a week. She is a particularly pitiful example, but the investigators, some of them experienced social workers, frequently expressed surprise on finding how many girls were habitually going without meals because they were too poor to purchase food. An example of this semi-starvation is afforded by Florence K., a shirt operator in Buffalo, who had been at work only a year. Her scant wages are eked out by contributions from her family in Washington, D. C. She pays ten cents for her breakfast, ten cents for her lunch and, as a rule, twenty-five cents for her dinner at night. Although this sum, as will be seen later, might suffice in a private family to maintain one in health it is hardly enough to purchase nutritious diet at the restaurants or lunch counters. Doubtless this insufficiency of nourishment is one of the reasons why Miss K. is developing tuberculosis in addition to her spinal curvature. For real economy in living one must turn to the woman who hires an apartment, does her own work, including her sewing, and buys her food at the lowest possible prices. Mrs. N. of Buffalo, for instance, lives with another woman in a tiny but extremely neat room. Two dollars a week suffices to buy her food, which she cooks on a gas burner. On Sunday she allows herself "a real treat" in a meal costing from twenty-five to thirty cents. A slightly different phase of economy is illustrated by Miss K., an elderly woman who earns \$7 a week in the china department of one of the best of the New York department stores. She hires a four room apartment at \$14 a month but rents two of the rooms at \$1.75 a week each. Thus she obtains her own two rooms for

nothing beyond the wear and tear of the furniture and her care of the rented apartments. Her food she manages to buy at \$2 a week. She has taken under her tutelage a young woman, Grace, whose wages are even smaller. Grace wanted a new suit last spring and bought the material but the dressmaker demanded \$4 for making it up, and the girl did not have the money to pay. The women comforted themselves with the thought that, by the time Grace had saved enough to compensate the dressmaker, she would be able to have the latest fall styles. These examples show clearly enough that the cold statistics discussed represent vital facts in the lives of the working women in New York State.

THE HOMES OF THE FACTORY GIRLS IN NEW YORK CITY

It was possible, in the brief time available for this investigation to make a rather intensive study of the homes of the women employed in the factories of New York City. Mr. Roswell Skeel kindly lent his aid and visited over twenty apartments of girls whom he had interviewed in the shirt and paper-box works. Diagrams to show such particulars as the number of people using each room, and the main articles of furniture, were drawn for all the apartments visited. From this data some illustrations have been chosen to show the different types of lodging conditions found among these people.

I

Antoinette, a stripper in a paper-box factory, earned about \$5.50 a week on the average, and lived with her married sister. As will be seen from the diagram of the apartment, the partition between the room occupied by Antoinette and her sister and the kitchen is broken by a glass window. In the kitchen beyond that window the two younger children of the family sleep. The window is covered by a curtain shown in Photograph Number 1; but a curtain of that character is translucent. It is, therefore, entirely safe to say that Antoinette did not enjoy any privacy at all. Since the girl was first visited she has married and moved away. The apartment, however, is a typical home of the better class Italian families who dwell in the New York City tenements. One looking at the picture will see a door and window, each covered by curtains. These are the door and window leading from the room formerly occupied by Antoinette into the kitchen, where the younger children sleep. The folding bed is seen under the graphophone. Antoinette had two windows which opened on a large court; so her room was light and airy.



PHOTOGRAPH No. 1

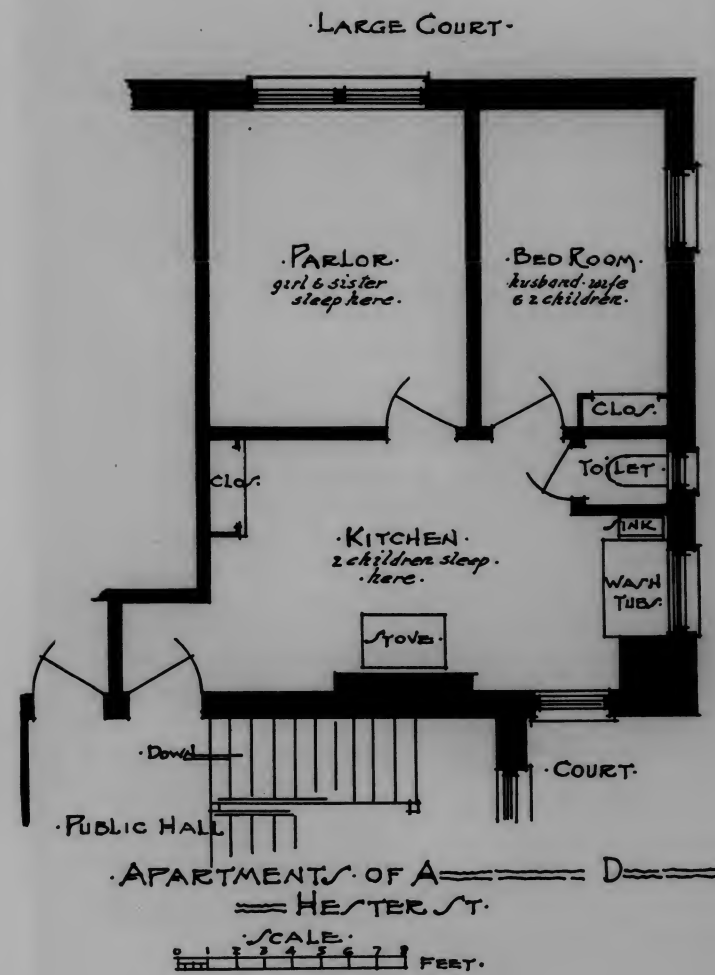


DIAGRAM 1

II ·

Dominicia F., who worked as a cutter in a button factory on an average wage of \$4.75 a week, lived in the apartment shown in Diagram II and Photograph Number 2. The landlady was a sister who, with her husband and baby, occupied the room seen through the doorway in the photograph. This room had one window which opened into the kitchen where Dominicia slept. The girl's bed is seen folded and covered on the extreme right of the picture. In another room communicating with the hall only through this kitchen sleep the four boys of the family, the eldest twenty years of age. The toilet of this old and dirty tenement is in the back yard. Obviously this girl had very scant opportunity for privacy. Her room had two good windows opening upon the back yard.



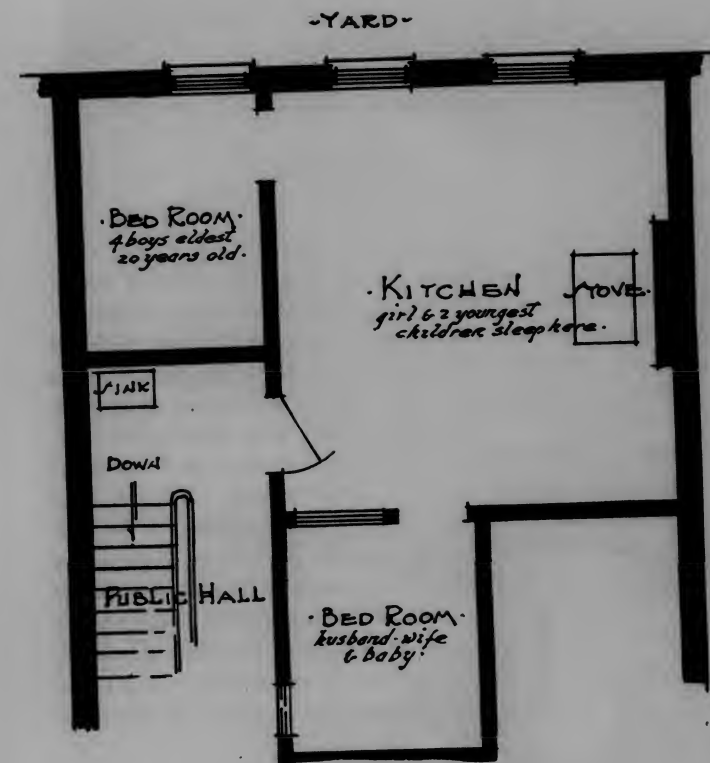
PHOTOGRAPH No. 2

II

Dominicia F., who worked as a cutter in a button factory on an average wage of \$4.75 a week, lived in the apartment shown in Diagram II and Photograph Number 2. The landlady was a sister who, with her husband and baby, occupied the room seen through the doorway in the photograph. This room had one window which opened into the kitchen where Dominicia slept. The girl's bed is seen folded and covered on the extreme right of the picture. In another room communicating with the hall only through this kitchen sleep the four boys of the family, the eldest twenty years of age. The toilet of this old and dirty tenement is in the back yard. Obviously this girl had very scant opportunity for privacy. Her room had two good windows opening upon the back yard.



PHOTOGRAPH No. 2



SCALE.
1 2 3 4 5 6 FEET.

APARTMENTS OF D = = = F = = =
= MOTT ST.

DIAGRAM 2

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III

The apartment represented by the Diagram III and Photograph 3, is the home of Rose G., a button-sewer in a shirt factory. Rose occupies the front room, not shown in the picture, with her sister aged nineteen and two brothers aged nine and seventeen respectively. The two older boys sleep in the kitchen which communicates through a window and a door with Rose's apartment. The view is taken from the kitchen toward the rear of the house and shows the sleeping room of Rose's parents. This sleeping room is separated from the kitchen by a wall broken by the door and window. On the curtains seen in the picture, cockroaches were running up and down at the time of the photographer's visit. The window, seen dimly through the door, opens upon a dark hall. In this apartment, as in those of the others described, the toilet is in the hall. Therefore, it is necessary for all who desire to use it to pass through the kitchen where the two older boys sleep.



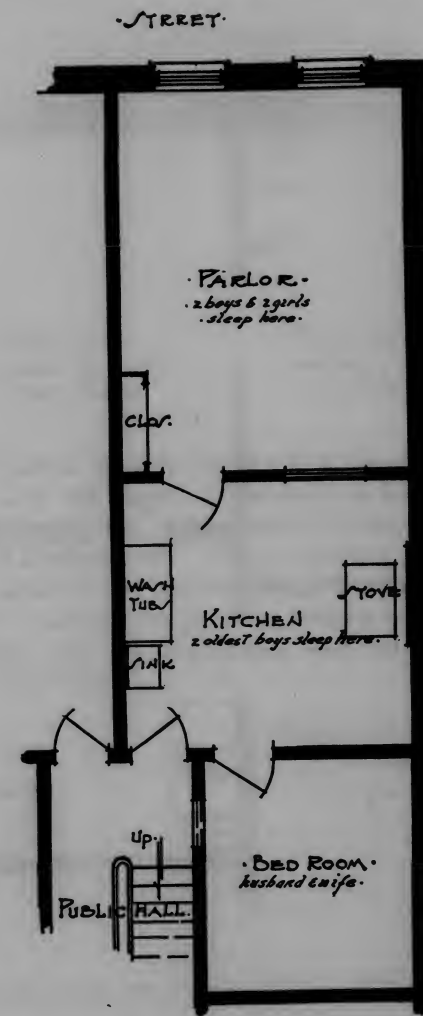
PHOTOGRAPH No. 3

III

The apartment represented by the Diagram III and Photograph 3, is the home of Rose G., a button-sewer in a shirt factory. Rose occupies the front room, not shown in the picture, with her sister aged nineteen and two brothers aged nine and seventeen respectively. The two older boys sleep in the kitchen which communicates through a window and a door with Rose's apartment. The view is taken from the kitchen toward the rear of the house and shows the sleeping room of Rose's parents. This sleeping room is separated from the kitchen by a wall broken by the door and window. On the curtains seen in the picture, cockroaches were running up and down at the time of the photographer's visit. The window, seen dimly through the door, opens upon a dark hall. In this apartment, as in those of the others described, the toilet is in the hall. Therefore, it is necessary for all who desire to use it to pass through the kitchen where the two older boys sleep.



PHOTOGRAPH No. 3



APARTMENTS OF R. G.

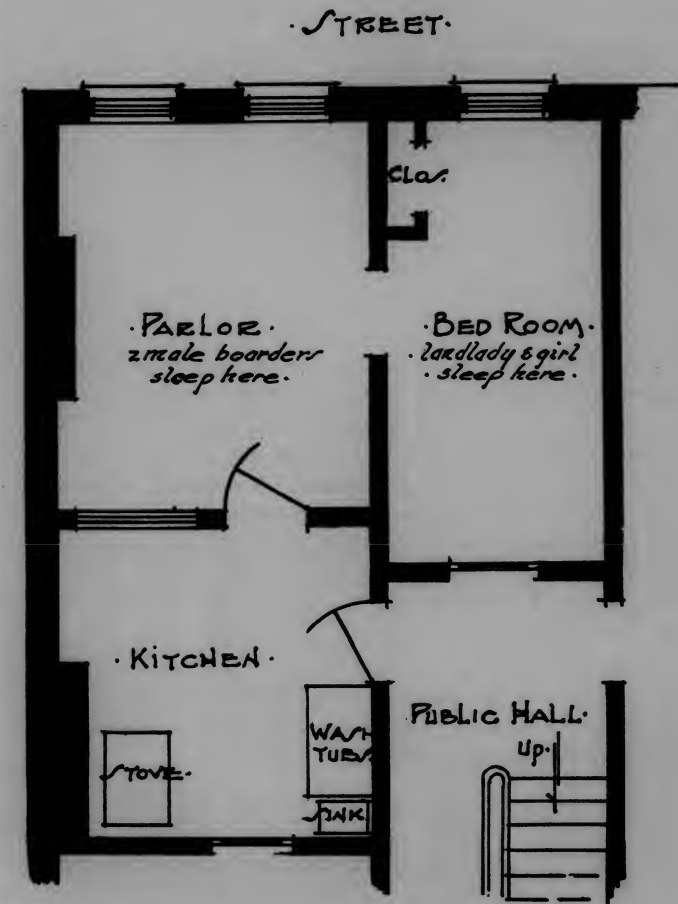
NO. ELDRIDGE ST.

SCALE: 1" = 10'.

DIAGRAM 3

IV

Sarah G. boards with a kindly disposed landlady in the apartment described by Diagram IV, Sarah, who is a girl of some twenty-three years, of Russian birth, earns about \$9 a week as a stripper in a paper-box factory. She occupies a well ventilated room two flights up in the tenement, but the access to this room is through the so-called parlor of the tenement. This parlor is occupied by two male lodgers and the only separation is a portiere.



APARTMENTS OF S G
ELDRIDGE ST.

SCALE
1 2 3 4 5 6 7 8 FEET.

DIAGRAM 4

V

Gertrude L., born in the United States, lives with her father, mother and brother in a three-room apartment on the second floor of a rather more modern tenement than those shown above. Gertrude occupies the room facing upon the yard and has for a roommate her twenty-year old brother. Photograph 4 shows the room occupied by Gertrude and her brother. On the extreme right in the foreground, is the black hair cloth couch occupied at night by the man, and right in front of the window stands the folding cot used by Gertrude. One can see here a typical dumb-bell type tenement apartment. It is possible to look back from the front room, through the middle room or kitchen to the bedroom occupied by the parents in the extreme rear, but there is light admitted to each of these rooms through a window on a small court. (See Diagram V.)



PHOTOGRAPH No. 4

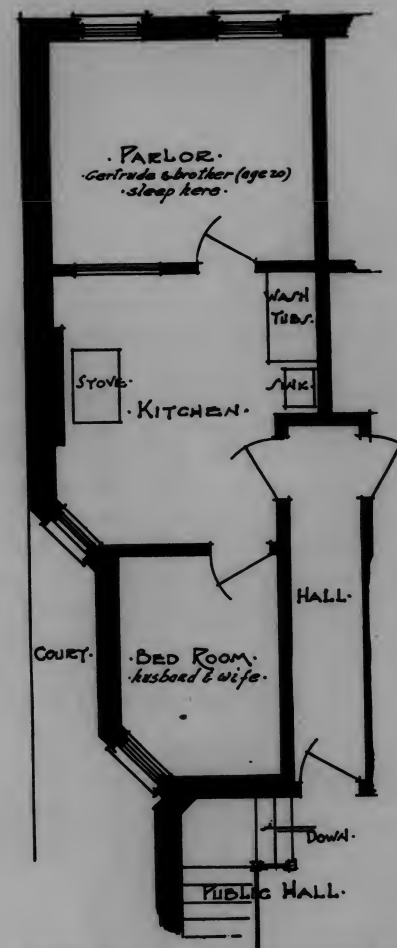
V

Gertrude L., born in the United States, lives with her father, mother and brother in a three-room apartment on the second floor of a rather more modern tenement than those shown above. Gertrude occupies the room facing upon the yard and has for a roommate her twenty-year old brother. Photograph 4 shows the room occupied by Gertrude and her brother. On the extreme right in the foreground, is the black hair cloth couch occupied at night by the man, and right in front of the window stands the folding cot used by Gertrude. One can see here a typical dumb-bell type tenement apartment. It is possible to look back from the front room, through the middle room or kitchen to the bedroom occupied by the parents in the extreme rear, but there is light admitted to each of these rooms through a window on a small court. (See Diagram V.)



PHOTOGRAPH No. 4

·YARD·



·APARTMENTS OF G L

·RUTGERS ST.

SCALE.

1 2 3 4 5 6 7 FEET.

DIAGRAM 5

VI

Annie P. lives in the apartment shown by Diagram VI and Photograph 6. This is the one place which the landlady did not attempt to "fix up" on the arrival of the photographer. The apartment consisted of four rooms, the toilet being in the hall. It was occupied by a husband, wife, and five children, and three female lodgers. The picture, taken from the bedroom occupied by the husband and wife, shows the door through the kitchen and, further on, the front room. The only outside ventilation of the bedroom is the window, barely visible in the upper left hand corner of the picture. The window is indicated by a white blotch because the sash has been swung open. This opening, however, can hardly be deemed to afford adequate ventilation, as on its other side is the tenement hall. It should be noted that the three girl lodgers and the oldest daughter occupied one bedroom.



PHOTOGRAPH No. 6

VI

Annie P. lives in the apartment shown by Diagram VI and Photograph 6. This is the one place which the landlady did not attempt to "fix up" on the arrival of the photographer. The apartment consisted of four rooms, the toilet being in the hall. It was occupied by a husband, wife, and five children, and three female lodgers. The picture, taken from the bedroom occupied by the husband and wife, shows the door through the kitchen and, further on, the front room. The only outside ventilation of the bedroom is the window, barely visible in the upper left hand corner of the picture. The window is indicated by a white blotch because the sash has been swung open. This opening, however, can hardly be deemed to afford adequate ventilation, as on its other side is the tenement hall. It should be noted that the three girl lodgers and the oldest daughter occupied one bedroom.



PHOTOGRAPH No. 6

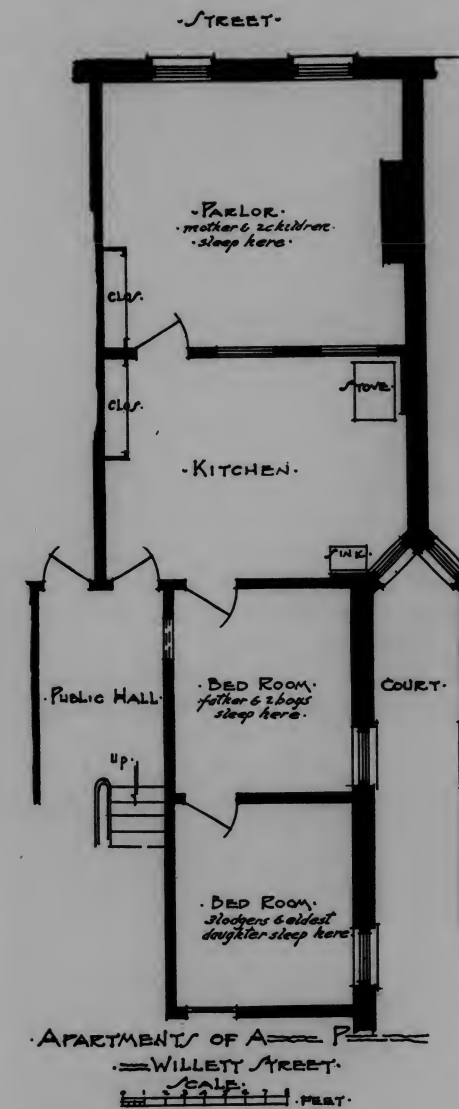


DIAGRAM 6

VII

Rose S. pays \$5 a week to an entire stranger for her room and breakfast in the apartment shown in Diagram VII and Photograph 7. There are two rooms in the suite. The "bedroom" is occupied by the landlady and her husband who used the bed shown at the left of the cut, and by the girl who sleeps on the bed shown at the right. It is interesting to note that the picture was taken through the window between the bedroom and the combination dining-room, kitchen, parlor, and sitting-room. Moreover, the landlady insisted upon clearing a messy lot of clothes from the bed before the photograph was taken.



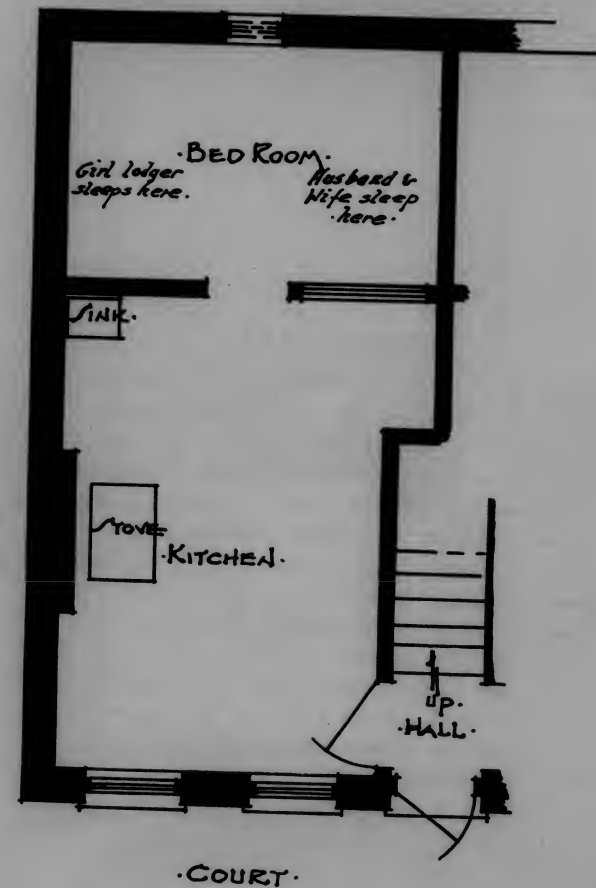
PHOTOGRAPH No. 7

VII

Rose S. pays \$5 a week to an entire stranger for her room and breakfast in the apartment shown in Diagram VII and Photograph 7. There are two rooms in the suite. The "bedroom" is occupied by the landlady and her husband who used the bed shown at the left of the cut, and by the girl who sleeps on the bed shown at the right. It is interesting to note that the picture was taken through the window between the bedroom and the combination dining-room, kitchen, parlor, and sitting-room. Moreover, the landlady insisted upon clearing a messy lot of clothes from the bed before the photograph was taken.



PHOTOGRAPH No. 7



APARTMENTS OF R = S =
= E. 3RD. ST.

SCALE.
0 1 2 3 4 5 6 7 8 FEET.

DIAGRAM 7

VIII

Pauline J. lives in a four-room apartment occupied by a husband, wife and baby, four male lodgers, and three working girls. The girls sleep in the room which is shown in the Photograph VIII. This picture was taken through the window opening from the kitchen into the room where the girls sleep. The window shown connects with the room where the men lodgers sleep. Although the lower sash of this window is of ground glass, it is easily possible for one standing on a chair or bed to see through the upper sash in either direction. This picture well illustrates the widely prevalent habit of hanging clothes upon the wall, sometimes under a sheet, often without this formality, and of sleeping upon beds which may be folded up, floor space being so precious. The desirability of these folding beds from the sanitary viewpoint may be questioned.



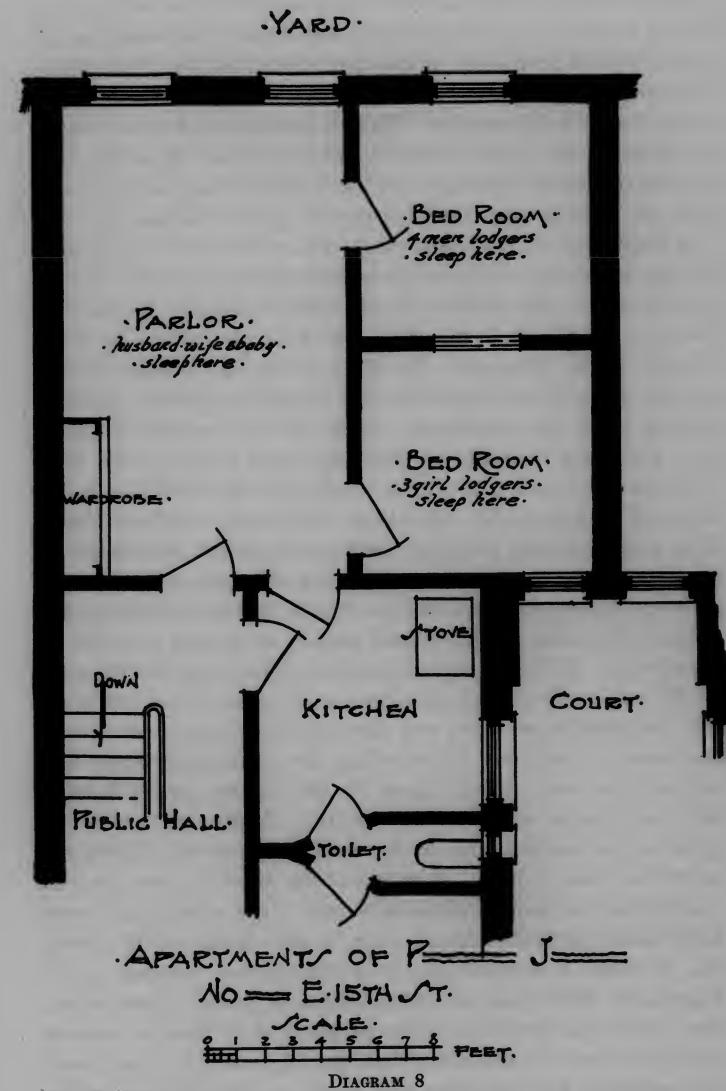
PHOTOGRAPH No. 8

VIII

Pauline J. lives in a four-room apartment occupied by a husband, wife and baby, four male lodgers, and three working girls. The girls sleep in the room which is shown in the Photograph VIII. This picture was taken through the window opening from the kitchen into the room where the girls sleep. The window shown connects with the room where the men lodgers sleep. Although the lower sash of this window is of ground glass, it is easily possible for one standing on a chair or bed to see through the upper sash in either direction. This picture well illustrates the widely prevalent habit of hanging clothes upon the wall, sometimes under a sheet, often without this formality, and of sleeping upon beds which may be folded up, floor space being so precious. The desirability of these folding beds from the sanitary viewpoint may be questioned.



Photograph No. 8



No photograph, taken as these were, can show flies or bugs, but enough has been said to indicate the deplorable living conditions of a considerable proportion of the factory girls in New York City. Of course, there are many who live in better circumstances. Many others live as do these girls. These homes are most nearly representative of the Poles, Italians, Austrians and Russians, late arrivals in America who have not learned better ways of living and who, not infrequently, could not pay the price of decency.

A slight idea of how nearly these illustrations are typical may be obtained from the following facts brought out by Mr. Skeel's investigations. He visited, in all, some twenty-one apartments, chosen at random from the addresses of the girls whom he interviewed in the factories. Of those twenty-one women, eleven enjoyed fairly good conditions with respect to privacy, and ten suffered from poor conditions. Some of these apartments, however, which were counted as affording ample privacy, were thus classified not so much by virtue of physical circumstances, as by reason of the remarkably high ideals of the family involved. More light is shed on this assertion when one considers the amount of overcrowding. Social workers agree that when the ratio of people to rooms is greater than 1.5 to 1 — that is, wherever there are not at least two rooms for every three persons — decency is hardly to be expected. Of the twenty-one families visited, only four came up to this standard,* six accommodated more than 1.5 but not more than two people per room, and eleven had more than two people per room. Conditions of crowding are undeniably such that privacy is a very difficult thing for the factory girl of foreign birth to obtain in New York City. Additional weight is given to this conclusion by the fact that in only seven of the apartments was there a toilet. Members of the other fourteen families (except the one family whose toilet was in the yard) had to use hall closets, generally shared with another family. Of course, this is what is to be expected in the old law tenements, but Chapter 99 of the Laws of 1909 provides, in Article 5, Section 93, that every apartment in a new tenement shall have a separate toilet which may be entered without passing out of the apartment. It is perfectly fair to assume that no tenement meets the genuine

* One of the four was mentioned above as the apartment where a husband, wife and female lodger sleep in one room. See page 1558.

requirements of decency unless it is fully in conformity with the legal requirements for new buildings.

That these rooming conditions whether in natural homes, boarding-houses, or lodgings with families, are frequently conducive to evil life, would be surmised from the facts already given. A few illustrations will suffice. Lulu M., for example, a sales girl in Utica, says that she hates the life in a boarding-house, for the men and women are so thrown together that temptations are extremely hard to resist. She is but one example of a numerous class, for many of the lodging-houses have been found, on investigation, to be unsafe. Another manner in which home life is sometimes not conducive to the best development of the girl may be illustrated by the story of Sarah R., of New York City. She was abused by her stepmother; all her earnings were taken from her as a contribution to the family purse; and finally she was forced to leave home. Since she cannot possibly support herself on the average of \$2.37 a week she earns in a shoe factory, she lives with a bar-tender in a room over a saloon. She fell into this life naturally; her friends were prostitutes, and so she thought that she too might get a living in that profession. But she finds it rather hard for she now suffers continual abuse; she has to sit up till three or four A. M. waiting for her lord. The investigators came upon several cases of young women who had been driven out of their homes by the unwarranted demands upon their time or strength or money by relatives who posed as benefactors. In this connection, it is pertinent to mention a pernicious custom that has arisen among some of the girls of the nationalities that look upon daughters as a financial asset. When such a girl is out of a job, she dares not inform her mother. Frequently, especially in a summer of slack work like the one just passed, and some times in a hard winter, the girl goes from home every morning. Having failed, often after diligent search, to find work, she loafs all day in some convenient place. At the end of the week she carries to her parent \$5 or \$6 given by one of her gentleman friends. Of course, it is not known how widespread this custom is, and yet it is certain that a considerable number are its victims.

The above illustrations have been given with no idea of sensationalism. It has been distinctly stated that the investigation has

been so limited that it has been impossible to find out how typical these cases are. The fact simply is that a great number of factory employees in New York City, and presumably elsewhere, live in extremely undesirable quarters. Everywhere a very large proportion of the earnings are consumed in paying for these undesirable accommodations.

THE MINIMUM COST OF COMMERCIAL BOARD AND LODGING

The vital question is, "What must be allowed to provide a decent room and proper food for a working woman?" This question is as difficult of solution as it is important. Approximately 3,000 women in New York City, are domiciled in the homes provided by philanthropic societies. Some of these are well accommodated at very low rates, but almost every working girls' boarding-house that offers these low prices describes itself, directly or indirectly, as "supported mainly by voluntary contributions." One of the best of these homes, however, is self maintaining. The able matron, an expert dietitian, claims that she can feed the girls for \$2 a week apiece. Some have their entire living, that is food plus a bed in a dormitory, at this home for \$2.50 a week. The question is, "Can it be considered decent living for ten or twelve girls to sleep in one dormitory having two windows?" In this same establishment a girl may obtain meals and a separate room for \$4 a week. These rooms have been described as "tiny." Some of them have walls of wood, others of corrugated iron. Above the low sheetiron partition, there is an iron grating which goes the rest of the way to the ceiling. This device effectually keeps other people out but it does not prevent every movement of the occupant from being heard by the girls in the neighboring rooms or in the halls. Similar statements might be made of some of the other homes. The point is that where good board and lodging are furnished at these low prices of \$4 or less a week one of two things is true. Either the home is subsidized — that is, the girls do not support themselves, or the rooming conditions are not such as would be tolerated by a person who has known anything better.

But there is another reason why it is wrong to base any estimates of the necessary cost of board and lodging on the records of these philanthropic homes. These institutions do business on a large

scale which means a considerable cutting of costs in the matter of service, rent, and frequently of other items. Moreover, the managers of these establishments are frequently trained experts. They should be able to make a better financial showing than any but the ablest keeper of a commercial boarding-house.

The New York Young Woman's Christian Association maintains a directory of rooms for women. No place is recommended until it has been thoroughly investigated. The manager of this bureau says that \$4 a week will secure a comfortable room although there are a very few rooms available at \$2.50 a week. A satisfactory combination of board and lodging may be secured occasionally for as low as \$7, provided the girl buys her lunch out. In view of these facts, any woman who applies to this bureau and who earns no more than \$7 a week is sent to one of the philanthropic clubs. The conclusion seems to be this: That the Young Women's Christian Association's experts on providing rooms for girls can find only a few respectable places at less than \$4 a week for the room alone, or at less than \$9 a week for room and board. Now the average wages of the store girls studied was, it will be remembered, \$7.77 per week and half of them were earning \$8.25 or less. This was the highest paid of all the industrial groups included in this investigation. So it would seem that, if the Young Women's Christian Association standard is adopted, more than half of the store girls and a larger per cent. of the factory girls in New York City are not earning enough to feed and shelter themselves, much less to provide clothing, carfare, medicine, amusements, and church contributions.

Unless one is prepared to accept this rather startling conclusion, different criteria must be sought. An attempt has, therefore, been made to estimate what is the lowest possible expense of furnishing decent commercial board. The equipment necessary for a room includes sheets and pillow cases as well as a bed, chair, and a table. The annual capital charges, that is depreciation, replacement, and interest on the investment in furniture, and furnishings, can be cut down to about \$5, and yet decency may be realized. In the model tenements of the City and Suburban Homes Company the apartments are rented at the average rate of \$1.30 per room per week including steam heat and hot water.

That would amount to approximately \$67.50 a year. The annual charge, therefore, for the room and the furniture would be about \$72.50 a year. No interest is charged on the capital paid out for room rent on the assumption that the payment is made weekly both by the lodger and by the landlady. Seventy-two dollars and a half a year amounts to \$1.40 a week, the room rent and capital charges which the landlady must recover.

Miss Gibbs, who is in charge of the Relief Department of the Association for Improving the Condition of the Poor in New York City, has, after several years of study, determined that a family of four or more can be properly fed at the rate of twenty-seven cents per man per day. A working girl would probably consume as much as a man at light labor. For the purposes of this estimate it will be assumed that proper unprepared food for the girl at breakfast and supper six days in the week can be provided at twenty cents a day, and three meals on Sunday for twenty-seven cents. That would be \$1.47 a week. It may be that this amount will be criticized by someone familiar with the ordinary reckoning of dietary standards. If a man at moderate labor requires a certain amount of food, it is generally assumed that a woman requires eight-tenths as much. The reason for adopting a slightly higher standard than eight-tenths is that these women are at work outside of the house and probably require more energy than the housewife. Moreover, families have to be specially trained before they learn to feed themselves on twenty-seven cents per man per day, and, finally, the heavy meal is generally served at night. Taking the allowance made by the Association for Improving the Condition of the Poor in New York City, the proportionate share of the girl lodger in a family of six for gas would be about twelve cents a week. Another item that must be considered is the time of the housewife. The presence of the lodger requires an extra expenditure of time in the preparation of food, in the washing of dishes, in the setting of the table, in the cleaning of the room, in washing the bed linen, and in various other ways. The amount of time thus spent is difficult to determine. From the writer's experiments in his own home, where domestic operations are pretty well systematized, it seems as if half an hour a day or three and one-half hours a week

is the minimum allowance for expenditure of time which the lodger would occasion the housewife. Estimating her time at fifteen cents an hour her services are worth fifty-three cents a week. Now no one is going to take a lodger commercially without seeking profit. The fact that most of the landladies interviewed claim that they make nothing from having one or two girl lodgers is not particularly significant. Their assumed philanthropy can usually be discredited by questioning. At any rate, no one should be expected to board a girl for the sake of charity. It would, therefore, seem reasonable to allow a profit of fifty cents a week to be made by the landlady.

The estimate then of the minimum cost of commercial board is as follows:

| | |
|--|---------------|
| 1. Rent and capital charge on room..... | \$1 40 |
| 2. Weekly cost of food, two meals for six days, three meals for Sunday | 1 47 |
| 3. Weekly cost of gas | . 12 |
| 4. Time of housewife | 53 |
| 5. Profit | 50 |
| Total | <u>\$4 02</u> |

It, therefore, appears that the lowest possible minimum allowance for board and room should be \$4 a week plus an amount for lunches to be purchased away from home. It is difficult to obtain a satisfying lunch for less than fifteen cents, the amount which most of the girls spend. Doubtless sufficient nutritive value can be obtained for less, but food at such low prices is frequently unpalatable and in a form difficult to digest. Suppose that the girl spends more for her board and room and carries her lunch from home; even then, she should have the opportunity of buying at least a bowl of soup, or a cup of tea or coffee or some other warming drink for her noonday meal. It seems reasonable, then, to place the cost of obtaining food and shelter in New York City at \$4 plus ninety cents or \$4.90 a week.

Let attention once more be directed to the method pursued in

making this estimate. The charge for lodging was based on the cost of a room which is considered good; but the City and Suburban Homes Company has been pledged by its charter to obtain no larger profits than 5 per cent., and actually has been paying 4 per cent. In other words, the charge for a room seems to be the lowest commercially feasible for respectable accommodation. In the second place, the charge for food in the boarding place has been based on the Gibbs standard. Now Miss Gibbs finds it necessary to *train* dependents before they learn to spend an allowance of twenty-seven cents per man per day so as to obtain proper food. Finally, it should be remembered that the estimate assumes the woman to be boarding in the same family with which she lodges. So it must be recognized that this estimate represents the lowest possible cost of decent board and lodging.

Another question now presents itself, namely, "Is it right that the girl in the home should, because she pays less cash, be considered as securing board cheaper than the girl who lives with strangers?" In other words, in estimating the "real wage" should not as much be allowed for the board and shelter of the girl living at home as of the girl living independently? The only savings that may arise from living at home are, first, that the mother gives her labor and, second, that no profit is necessary. In New York City there seems to be very little difference in the accommodations enjoyed by girls boarding with strangers and by those living with their own people. The mother's labor ought to be considered of value; the profit perhaps can be omitted, and so the only difference between the real cost of board and lodging of those living at home and of those living independently can be put at approximately fifty cents. On the other hand, if a minimum wage is to be established, for various reasons discussed elsewhere, it would be impracticable to have several different minima in the same city. Therefore, as the women who live independently are the ones who must pay the commercial prices, it is at \$4.90 that the weekly cost of board and lodging must be estimated for New York City.

In the other cities, of course, the minimum cost of commercial board will vary somewhat from that in New York. The main

difference is in the expense of lodging. In Buffalo, room rent can be set at seventy-five cents a week. Probably the same figure would suffice for the payment for the room in Troy. In other words, in some of the up-state cities where house rents are lower the necessary minimum cost of lodging is approximately sixty cents less than in New York City. In Buffalo food prices are a little less than 15 per cent. lower than in New York and in Syracuse the difference is about 10 per cent. In Elmira and Albany the difference in food prices from those in New York is negligible. It would, therefore, seem that, although in two large cities of the western part of the State there may be a reduction of from twenty to fifteen cents a week in the cost of food, that reduction cannot be made universally. In view of these considerations, it seems possible to fix the minimum cost of food and shelter at approximately \$4.10 in Buffalo and \$4.15 in Troy. These are the only two cities for which data on rents were obtained in the investigation.

CAR FARE

Another item of expenditure that enters largely into the budgets of the working women of New York State is transportation. In New York City 558 of the 800 store employees had expenditures for this purpose, but only 184 of the 531 factory workers report such an outlay. In the up-state stores approximately one-half the women employed were forced to incur this expense. The amount needed is almost universally ten cents a working day or sixty cents a week. For instance, in New York City about four-fifths of the women spend exactly this sum. A few there were who had ferry fees or trips across a bridge on one of the three-cent lines, and so there were some who paid less and some who paid more in odd amounts. One thing in particular should be remarked with regard to the expenditure for transportation to and from work; distance is no respecter of purses. The outlay for car fare seems to bear no relation at all to the amount of wages earned. It is, therefore, a much heavier drain upon the woman of low earning power.

There is little to be added except the fact that, in New York City, it seems impossible to correlate the expenditure for car fare

TABLE XXII
WEEKLY COST OF CAR-FARE OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | Totals or average | XIX |
|--------------------------------|-----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------------------|-----|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | | | |
| WEEKLY CAR-FARE | | | | | | | | | | | | | | | | | | | | |
| 1 Under \$0.30 | | | | | | | | | | | | | | | | | | | 5 | |
| 2 \$.30-.59 | | | | | | | | | | | | | | | | | | | 26 | |
| 3 .60-.89 | | | | | | | | | | | | | | | | | | | 462 | |
| 4 .90-1.19 | | | | | | | | | | | | | | | | | | | 15 | |
| 5 1.20 or over | | | | | | | | | | | | | | | | | | | 50 | |
| 6 Total reporting ex- pense | 9 | 35 | 46 | 111 | 100 | 86 | 54 | 41 | 20 | 15 | 4 | 10 | 14 | 6 | 1 | 3 | 3 | 3 | 558 | |
| 7 Average expended | \$0.60 | \$0.58 | \$0.62 | \$0.68 | \$0.67 | \$0.66 | \$0.68 | \$0.67 | \$0.66 | \$0.62 | \$0.53 | \$0.60 | \$0.64 | \$0.60 | \$0.60 | \$0.60 | \$0.62 | \$0.66 | | |
| 8 Car-fare | 3 | 27 | 36 | 26 | 37 | 30 | 14 | 15 | 3 | 7 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 205 | |
| 9 No report | | | | | | | | | | | | | | | | | | | 37 | |
| 10 Totals | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 4 | 800 | |

with rent paid. Higher rents seem frequently to be charged for apartments in districts not very close to industry although exceptions to this statement can easily be found. Again, the ride to work is more than a financial drain, for it frequently involves prolonged standing in closely packed, ill-ventilated vehicles, and this in itself, either before or after a hard day's work, is exhausting. Transportation, then, not only consumes a considerable portion, approximately one-ninth to one-tenth, of the wage of those who have to pay it, but it is also linked with a severe physical drain.

SAVINGS, DUES, AND INSURANCE

Expenditures for dues and for insurance are grouped together with savings because of the essential similarity of the three. Until last spring it was possible for an employer to compel his help to contribute to a mutual benefit fund. Since then, however, this practice has been illegal, so far as corporations are concerned, but, when the data for this report were being collected in New York City, the old practice was still in vogue. The amounts thus taken from the girls were not funds which could be drawn at will for personal use. Nevertheless, they resembled savings in this particular, that they were at least partially available in case of illness, one of the contingencies for which savings are necessary. Insurance, likewise, may with propriety be considered a form of thrift. Indeed, many writers consider it one of the best modes of saving. On the other hand, there is a difference between life insurance and savings, namely, that the expenditure for life insurance, especially in the industrial form, is an outlay of money which cannot be recovered by the individual during his life. Moreover, industrial insurance, the kind of insurance carried by most working folk, is virtually an installment purchase of a decent funeral, the payments being made in advance of the service. The truth of this statement is apparent to everyone who knows how strongly the industrial insurance agents appeal to the desire to "show proper respect for the dead," when canvassing prospective customers. It is this argument that appeals to the person with no friends to bury him. Finally, industrial insurance is different from accumulation in a savings bank in that the cost of protection necessitates what

may be called a negative interest rate. So, although there are similarities between insurance and savings, these two forms of thrift must not be confused as identical.

In the industries of New York which were investigated the proportion of the employees who paid dues on insurance premiums is surprisingly large. Seventy-one per cent. of the women in the New York City stores who reported were paying premiums or dues, of some sort.* The up-state store women who paid either dues or insurance were over half of all. Among the factory employees in New York City not quite half, had outlays for this purpose. The truth seems to be this, that in the stores where the mutual benefit associations are strongly encouraged, and sometimes enforced, a larger proportion of employees join these associations than would voluntarily provide some form of insurance. The amount of contribution in the New York City stores was approximately fifty cents a month. Taking into consideration all the employees who reported whether they paid dues or not, the average for the New York City factories was twenty-two cents a month, for the up-state stores twenty-two cents a month, and for the up-state factories fifty cents a month. These figures, which are rather strongly indicative of a custom of paying approximately ten cents a week for either insurance or benefit dues. A few pay more. What will the expenditure of ten cents a week for industrial insurance provide? For a woman taking a straight life policy at the age of twenty, this sum will purchase insurance of \$210 payable at death; if she is thirty years of age when issued, the value of the policy will be \$158. In other words an annual payment of \$5.20 will obtain whole life insurance at a rate of approximately \$24.75 per thousand for the younger woman and \$32.85 for the older. The corresponding rates per thousand dollars in one of the standard old line companies are \$14.83 and \$22.85. Of course, this extra cost of industrial insurance may be justified on the grounds of the extraordinary expenses of solicitation, premium collection, and administration of small policies.

* 323 to mutual aid, 162 to insurance companies, 22 to Girls' Friendly or social clubs and 37 churches; total 549; dropping duplications, 402.

TABLE XXIII
SAVINGS OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY BY WEEKLY EARNINGS

| SAVINGS OF SJO WOMEN EMPLOYED IN STORES IN NEW YORK CITY BY WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | | | | |
|---|---|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-------------------|--|
| I | | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | Totals or average | |
| | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | | |
| SAVINGS RECORD OF PAST YEAR | | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | \$19 to \$19.99 | \$20 to \$24.99 | Not reported | |
| 1 | Reporting amount saved..... | 33 | 33 | 44 | 44 | 6 | 5 | 6 | 2 | 2 | 2 | ..... | 1 | 3 | 1 | ..... | ..... | ..... | 1 | 33 | |
| 2 | Average amount saved..... | \$3.99 | \$4.99 | \$5.99 | \$6.99 | \$7.99 | \$8.99 | \$9.99 | \$10.99 | \$11.99 | \$12.99 | \$13.99 | \$14.99 | \$15.99 | \$16.99 | \$17.99 | \$18.99 | \$19.99 | \$24.99 | \$104.00 | |
| 3 | Reported savings amount not stated..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |  |
| 4 | Reported no savings..... | 9 | 44 | 66 | 105 | 112 | 73 | 42 | 17 | 11 | 11 | 2 | 3 | 6 | 3 | 1 | 1 | 1 | 3 | 522 | |
| 5 | Total reporting on savings..... | 9 | 51 | 72 | 119 | 130 | 102 | 62 | 49 | 18 | 18 | 3 | 9 | 12 | 5 | 1 | 3 | 4 | 667 | ..... |  |
| 6 | Per cent. of those reporting who saved..... | 0 | 13.7 | 8.3 | 11.8 | 13.8 | 28.4 | 32.3 | 38.8 | 38.8 | 38.8 | 33.3 | 66.7 | 50.0 | 40.0 | 0 | 66.7 | 25.0 | 21.7 | ..... |  |
| 7 | Not reporting..... | 3 | 13 | 10 | 19 | 15 | 25 | 11 | 8 | 7 | 8 | 3 | 5 | 3 | 2 | 1 | 1 | 1 | 133 | ..... |  |
| Totals..... | | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 800 | ..... |  |

On the other hand, it must be said that the same amount of money would purchase so much more in regular insurance that if the women would simply lay aside ten cents a week for quarterly or semi-annual payments they would obtain a great deal more for their money.

When savings are considered, the first thing that is to be noticed is the rather high average accumulations of those who actually save. For instance, among the New York City store women the average amounts saved by those reporting a definite sum laid by was, as appears in Table XXIII, over \$49 a year. The corresponding figure for the factory girls in that city is \$51.80. Similarly, among the up-state women, the savings of the store employees average ninety-four cents a week or approximately \$49 a year, and of the factory workers, approximately \$54. These rather gratifying averages, however, are extremely misleading, for only thirty-three out of eight hundred women in the New York City stores reported the amounts they had saved; and the other averages are based on correspondingly small numbers. The really vital fact is the proportion of those who actually did contrive to lay by something. Six hundred and sixty-seven women employed in the New York City stores reported definitely whether they had saved or not. Of these only 145 or less than one-fourth had been able to accumulate for the future. Another fact should be observed from Table XXIII, namely, that not until the wage of \$10 is reached do as many as one-third of the women in any earnings group save anything. This is true not only of the store employees but also of the factory women of the metropolis. A study of Table XV will show that the same principle applies in the up-state stores, for the proportion reporting savings, 47 out of 408, is very small. On a weekly wage of less than \$8 it seems practically impossible to save in New York City; scarcely more than one eighth in any earnings group below this sum succeeded in saving. This raises the question whether there has not been found here an indication of the minimum cost of living. If, when the wage of \$10 is obtained, and not until that point in the economic scale is reached, one-third of the employees are able to save, it would appear that at least \$9 is necessary to provide absolute necessities.

TABLE XXIV
MONTHLY DUES FOR INSURANCE AND FOR SOCIAL AND RELIGIOUS ORGANIZATIONS OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY

| | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | | Totals or average |
|-------------------------------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|---------------|-------------------|
| | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | |
| Monthly Dues | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | \$19 to \$19.99 | \$20 to \$20.99 | Not reporting | |
| 1 \$0.05-\$0.24 | 5 | 19 | 10 | 18 | 13 | 14 | 3 | 2 | 2 | 7 | 1 | 4 | 2 | 2 | 1 | 2 | 1 | 1 | 1 | 85 |
| 2 .25-.49 | 1 | 10 | 10 | 24 | 34 | 35 | 25 | 19 | 6 | 8 | 3 | 4 | 4 | 2 | 1 | 1 | 1 | 1 | 1 | 183 |
| 3 .50-.74 | 1 | 1 | 10 | 15 | 14 | 10 | 5 | 6 | 3 | 3 | 8 | 3 | 7 | 2 | 2 | 1 | 1 | 1 | 1 | 88 |
| 4 .75-.99 | 2 | 2 | 3 | 4 | 2 | 2 | 1 | 2 | 5 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 21 |
| 5 1.00 or over | 1 | 1 | 3 | 6 | 8 | 11 | 5 | 3 | 1 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 47 |
| 6 Total reporting amount | 8 | 32 | 36 | 67 | 71 | 71 | 40 | 35 | 10 | 20 | 5 | 7 | 10 | 4 | 2 | 3 | 3 | 3 | 3 | 424 |
| 7 Average dues | \$0.36 | \$0.26 | \$0.46 | \$0.51 | \$0.46 | \$0.56 | \$0.60 | \$0.49 | \$0.43 | \$0.64 | \$0.77 | \$0.51 | \$0.60 | \$0.69 | \$0.40 | \$0.63 | \$0.40 | \$0.50 | \$0.50 | |
| 8 No dues | 3 | 20 | 23 | 50 | 32 | 15 | 17 | 11 | 5 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 186 |
| 9 Dues, but amount not stated | 4 | 4 | 4 | 8 | 5 | 4 | 5 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 38 |
| 10 Total paying dues | 8 | 36 | 42 | 75 | 76 | 75 | 45 | 37 | 11 | 21 | 5 | 7 | 11 | 4 | 2 | 3 | 4 | 4 | 4 | 462 |
| 11 Total reporting on dues | 11 | 56 | 70 | 125 | 108 | 90 | 62 | 48 | 16 | 24 | 5 | 7 | 12 | 5 | 2 | 3 | 4 | 4 | 4 | 646 |
| 12 Per cent reporting who paid dues | 72.7 | 64.3 | 60.0 | 60.0 | 70.4 | 83.3 | 72.6 | 77.1 | 68.8 | 87.5 | 100.00 | 100.00 | 96.7 | 80.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 71.3 |
| 13 Not reporting | 1 | 8 | 12 | 13 | 37 | 37 | 11 | 9 | 9 | 2 | 1 | 1 | 7 | 3 | 2 | 1 | 1 | 1 | 1 | 132 |
| Totals | 13 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 4 | 4 | 890 |

Turning now to some practical illustrations of ability and lack of ability to save, the experiences of a few women may prove interesting. Jeanette L., aged fifty, a Troy paper-box maker, has been with her present employer thirty years, and is now earning about \$10 per week. All her life, until recently, she has, in addition to her work, been obliged to keep house for the paralyzed mother whom she supported. Some months ago her mother died, and it seemed as if her opportunity to save had come; but she met with an accident to her knee. Her doctor's bills now assume such proportions that she is unable to make any progress against the debts contracted during her mother's illness. A younger woman, Marie T., also of Troy and also making \$10 a week, lives alone in a flat. She had, at first, a considerable supply of bed and table linen, but now she is worried by the fact that she has been unable to set aside enough money to replace that linen when it is worn out. She believes that there is no time in life when a wage-earning woman can save. In her early days of wage-earning, she must contribute to the family and aid in the support of her parents, or of her younger brothers and sisters; later, there are her own children who must be taken care of; and finally, her efficiency decreases. So, there is never a period in the life of the typical working-woman, in Marie's opinion, when saving is possible. She gives an additional fact that is of interest in this connection, namely, that practically every week, in her factory, there is either a collection or a raffle for the benefit of some worker who is sick, who has no resources, and who, therefore, is an object of the charity of her fellow employees. This custom is really of considerable significance as an indication of how few are able to accumulate for times of emergency.

A Mrs. M., a department store worker in Utica, is now comfortably off at the age of forty-seven, for her son of twenty-two has, for a year or so, been making \$10 a week, but this is the first time in her life that she has had anything to spare from her wages after providing a living for herself and the two children who were thrown entirely upon her hands by the death of her husband. Another widow, Mary C., of Cohoes, after a considerable experience as a wage-earner, feels that it is absolutely impossible for one on her wages, \$8 a week, to save.

In illustration of the converse, the possibilities of contracting debt at least may be cited. Bertha L., of Niagara Falls, a paper-box worker, earns about \$6 a week. After an experience of three and three-fourths years in the trade, this very bright and intelligent girl, is in debt for doctor's bills and for a suit which she bought six months previous to the interview. A great number of similar cases were found by the investigators, instances of girls who could purchase their clothing only on the installment plan, and who, at times had to allow half their wages to be held back to pay for goods purchased from their employers. One other girl might be mentioned as illustrative of the extreme type. She said she could not have any clothes at all were it not for the fact that her landlady, to whom she is in no way related, bought them for her.

So it seems that saving is practically impossible to a very large number of the factory women, even to those earning as much as \$9 a week.

IMPORTANCE OF SAVINGS

The main importance of saving is provision for future need. It is rather remarkable that a large number of persons feel that saving is less necessary for girls than for mature women. The reason for this belief is evident. The great majority of working-women look forward to marriage, and so they feel that thrift is unnecessary. Some illustrations of this very widespread attitude may be given. Clara X., aged eighteen, earns \$7 a week and boards next door to her beau, who earns \$16. He is very good to her, occasionally buying clothes for her; and this summer he took her on a vacation to his sister's house at Sheepshead Bay. This girl is one of a number who not only spend all they earn but also receive substantial gifts from prospective husbands.

Another girl, Sarah H., also of New York City, complains bitterly at the extreme burden of her hard work in a factory. She claims to be "tired of doing this. The only hope is to get married. It is easier than this, believe me." A somewhat similar attitude was taken by another young lady, also in a paper-box factory, who said, "You never rest until you die, but I will get out by marrying somebody, but my mother won't marry me off yet. I had a fine chance last week, a nice fellow with a good

job, who wanted me. But you see I got to work until my brother begins to make some money. I am making \$10 and my father \$15. It is no cinch I tell you. There are eight of us." Still another said, "I am sick and tired of this work. Stripping, stripping, stripping all the time, until it makes me dizzy. There is one hope for us, and that is to get married. It is easier than doing this." More scheming was a certain Anna, who found that making artificial flowers did not pay from a financial standpoint, and whose health had broken down when she had tried to work in a paper-box factory. As a last resort she went into domestic service with a hope of getting married. She succeeded, too, but now she has to support a four months old baby and a sick husband. So she has to stand behind a department store counter.

TABLE XXV

COMPARISON OF THE NUMBER OF NATIVE WHITE FEMALE BREADWINNERS IN SPECIFIED AGE PERIODS REPORTED AT CENSUSES OF 1890 AND 1900, WITH ESTIMATE OF THE DECREASE RESULTING FROM DEATHS AND OF THE INCREASE OR DECREASE RESULTING FROM THE ADOPTION AND ABANDONMENT OF OCCUPATIONS, FOR CONTINENTAL UNITED STATES*

| AGE PERIOD | | FEMALE BREADWINNERS | | | | | |
|-------------------|-----------|---------------------|---------|--|-----------------------------|---------------------------------------|-----------|
| | | NUMBER ENUMERATED | | INCREASE + OR DECREASE (—), 1890 TO 1900 | | | |
| | | 1890 | 1900 | Total | Estimated as Resulting from | | |
| 1890 | 1900 | | | | Death or migration | Adoption or abandonment of occupation | |
| Years | years | | | | | Number | Per cent. |
| 15-24 | 25-34 | 1,120,698 | 696,816 | —423,882 | —149,609 | —274,273 | —24.5 |
| 25-34 | 35-44 | 451,438 | 375,030 | —76,408 | —42,758 | —33,650 | —7.5 |
| 35-44 | 45-54 | 214,192 | 229,009 | +14,817 | —24,393 | +39,210 | +18.3 |
| 45-54 | 55-64 | 149,802 | 136,567 | —13,235 | —28,309 | +15,074 | +10.1 |
| 55 & over | 65 & over | 141,196 | 72,991 | —68,205 | —61,692 | —6,513 | —4.6 |

* Statistics of women at work, p. 24. Bureau of the census. 1907.

These, perhaps unusually frank, but eminently typical expressions exhibit the wide-spread belief of the girls that marriage is relief from the trouble and toil of wage labor. Statistics confirm their trust that matrimony will remove them from industry. In the Census Report on "Women at Work" published in 1907, there is a table which is reproduced, in part, as Table XXV of this study. It shows that, in early maturity, a very large number of women abandon their occupation for causes other than death or migration. This is the period of marriage, and it is a safe inference that most women are removed from industry by this

new relation. The Census of 1910 bears out this conclusion, for in New York State it was found that 15.9 per cent. of the females fourteen and fifteen years of age, 56.6 per cent. of the females from sixteen to twenty years of age and 30.4 per cent. of the women from twenty-one to forty-four years of age were engaged in gainful occupations. In other words, considerably over half of the women who reach maturity enter industry, but a large proportion drop out after the age of twenty-one has been passed. More minute subdivisions in the grouping would doubtless show a larger exodus from industry, as but 15.5 per cent. of those of forty-five or more years of age were employed. Of females fifteen to nineteen years old, 93.8 per cent. were single, of those twenty to twenty-four years of age, 59.5 per cent. were single and 39.6 per cent. were married, of those twenty-five to thirty-four years of age 27.6 per cent. were single and 69.4 per cent. married, while of those thirty-five to forty-four years of age 76.1 per cent. were married. All of these figures are indubitable evidence that marriage removes a large proportion of the women from industry between the ages of twenty and thirty-five.

Marriage, however, does not come to all of them. The census shows that nearly one woman in six who attains the age of forty-five is unmarried. But even for those who do succeed in obtaining mates, bliss is not always in store. "My, how those women hate their husbands," was the remark made by one of the investigators who had visited a considerable number of families on the lower West Side of New York. These families had been picked by a social worker because of their unusual intelligence. Many a student of social problems has noted the same thing, that, after marriage, and especially after the children begin to prove economically burdensome, the husband is apt to be very careless in his treatment of his wife, not giving her proper attention. This wide experience leads one working-class woman to remark, "Marriage is not much good for the girl. If she has a good home she is better off with her mother." And she seems to voice the sentiments of a large proportion of the married women.

On the other hand, the failure of marriage as a means of relief may not be due to any mistake in the choice of a husband. For instance, a widow was interviewed in Troy whose husband, always

kind and economically efficient, had been killed at his work on the railroad. Another woman at work in a paper-box factory had enjoyed only four weeks of married life before her husband, who was a brakeman, was struck and instantly killed while trying to flag an express train in a thunder storm. She received no damages at all. Having been twenty years a widow and at work all that time, her earnings now vary between \$4 and \$6 a week. Moreover, as she entirely supports her mother she has but the barest necessities of life, yet she bears the load without complaint. One other woman, a Mrs. M., has been in the United States with her husband but five months. She earns \$3 a week. He cannot find a job, but stays at home and does the cooking, while she earns enough to provide the food. Nor are these at all unusual cases. They are simply cited to show that marriage may be a failure as a means of providing relief from work. This conclusion is emphasized by the statistics in Table XXV which distinctly show that there is another influx of women into industry after the age of forty-five has been reached. By that time more widows are being made by death than there are women removed from industry by marriage. Thus is prospective matrimony of doubtful value as a substitute for saving. As wedlock is the only substitute offered, the need of saving as a provision for the future cannot be questioned, even in the case of young girls, for they are continually meeting with emergencies of ill-health, or of need for clothing, or of unexpected burdens of support of relatives or friends.

The conclusion, therefore, is that savings *should* form a portion of the economy of every woman. Thrift may be regarded as insurance against the failure to marry. On the other hand, if a girl marries, she ought to have resources to provide her own trousseau, as among poor folks the family can only with hardship afford this outfit. And so, in any event, the girl ought early to begin to save. In the second place, saving is necessary for the girl who is destined to marry, in order that she may be independent, in order that she may feel that she has resources enough to wait for the right man to come; that she may not be constrained to accept the first to offer her a relief from the "hell of her work." Of course there is a danger in having savings. One woman who had lost two husbands, had been able to save a couple of hundred dollars out of the insurance on her second spouse, who by the

way, she had supported for the last seven years of her married life. She was immediately looked upon as proper game for all the unmarried men in her rather limited sphere of acquaintance. In the third place, saving is valuable to the girl who is going to be married on account of its influence on the formation of habits. The housewife who spends all her husband earns, provided his pay is more than enough for bare subsistence, is not efficient. She is not doing her share of the work properly. If one has not learned to save as a girl, can she be expected to save as a wife? Certainly it is safer for her to form the habit early in life. Finally, every wage-earner is very likely to be thrown out of work temporarily or permanently, and in that case she should have the most ample possible resources upon which to depend. From these considerations, which are based directly upon the facts in the lives of working women, rather than upon abstract reasoning, it would seem that every woman's wage ought to be large enough to enable her to deposit in the savings bank.

SPENDING MONEY

The women interviewed were asked by the investigators how much they had for "spending money." What was meant by this question was: "How much is available for incidental expenses and amusements, for all the things, in fact, not included in the other items on the schedule?" Suggestions were frequently given,—moving pictures, doctor or dentist bills, luxuries of various sorts, treats, gifts, little excursions, and a variety of other things. It is interesting to note that the average amount mentioned by all the employees of the New York City stores who reported whether they had spending money or not was forty-nine cents a week. For the factory woman it was forty-four cents. Up-state the average spending money of the store women was fifty-two cents and of the factory women fifty-four cents. The mean sum available in each industrial group for the incidental things included under the caption "Spending money" was close to fifty cents. Of course those that actually had spending money averaged more. Table XXVI will show that, of the 497 New York City store girls who reported on their spending money, 114 had absolutely nothing for this purpose, 112 had less than thirty-

eight cents, 117 had thirty-eight cents but less than sixty-two cents, generally fifty cents. That is, 343 out of 597 reporting had less than nine cents a day for incidental expenses. Table 2 in Appendix IV will show that approximately the same condition is found among the factory girls of New York. Three hundred fifty-eight of these women reported whether they had spending money or not. Of these eighty-three had none, ninety-nine had less than thirty-eight cents, and eighty-seven had thirty-eight cents but less than sixty-two cents. In all, 269 had less than nine cents a day. Thus it is evident that a large proportion of the employed women have very little to devote to these incidental expenses, and a great number have absolutely nothing.

TABLE XXVI
WEEKLY SPENDING MONEY OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY

| WEEKLY SPENDING MONEY OF 800 WOMEN EMPLOYED IN STORES IN NEW YORK CITY | | | | | | | | | | | | | | | | | | | |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|--------------|-------------------------|--|
| I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | XIX | |
| WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | | |
| WEEKLY SPENDING MONEY | \$3 to \$3.50 | \$4 to \$4.50 | \$5 to \$5.50 | \$6 to \$6.50 | \$7 to \$7.50 | \$8 to \$8.50 | \$9 to \$9.50 | \$10 to \$10.50 | \$11 to \$11.50 | \$12 to \$12.50 | \$13 to \$13.50 | \$14 to \$14.50 | \$15 to \$15.50 | \$16 to \$17.50 | \$18 to \$20.00 | \$20 to \$24.50 | No report | Totals or average | |
| 1 Under \$0.38..... | 9 | 23 | 25 | 23 | 13 | 9 | 8 | 2 | 2 | 3 | 1 | 1 | 1 | 1 | 1 | 2 | 112 | | |
| 2 \$0.38-40.63..... | 1 | 18 | 23 | 22 | 20 | 10 | 9 | 4 | 2 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 117 | | |
| 3 .63-.87..... | 1 | 3 | 4 | 6 | 7 | 9 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 35 | | |
| 4 .88-1.12..... | 1 | 1 | 3 | 18 | 23 | 10 | 8 | 15 | 2 | 3 | 1 | 1 | 4 | 1 | 1 | 1 | 89 | | |
| 5 1.13-1.37..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 3 | | |
| 6 1.38-1.62..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 3 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 15 | | |
| 7 1.63-1.87..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | | |
| 8 1.88-2.12..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 5 | | |
| 9 2.13 or over..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | | |
| 10 Total reporting spending money..... | 10 | 45 | 55 | 72 | 64 | 45 | 32 | 27 | 6 | 8 | 2 | 3 | 0 | 1 | 1 | 3 | 379 | | |
| 11 Average spending money..... | .28 | .38 | .43 | .62 | .67 | .76 | .76 | .93 | .83 | .84 | 1.12 | 1.66 | 1.25 | .50 | 1.00 | .50 | .63 | .64 | |
| 12 Reported no spending money..... | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 114 | | |
| 13 Average of all reporting on spending money..... | .28 | .32 | .35 | .43 | .47 | .55 | .62 | .81 | .63 | .61 | 1.12 | 1.00 | 1.25 | .28 | 1.00 | .50 | .83 | .49 | |
| 14 No report..... | 2 | 11 | 15 | 34 | 54 | 68 | 34 | 26 | 17 | 15 | 4 | 9 | 9 | 5 | 1 | 2 | 1 | 307 | |
| 15 Totals..... | 12 | 64 | 82 | 138 | 145 | 127 | 73 | 57 | 25 | 26 | 6 | 14 | 15 | 7 | 2 | 3 | 4 | 800 | |

Here a word should be said in explanation of the items "Spending money or miscellaneous expenditures" in Table XV. The mean given is the average for all who reported whether they had spending money or not, not the average of those who actually reported having spending money.

Now a word is needed to set forth the significance of spending money. What does it mean? First, it includes outlay for health. It may be asked, "Do the working girls need very much for their own physical care?" The answer is "Frequently they do." For instance, Annie W., who earns \$9 a week as a stitcher in a book-binding in New York City, lives as cheaply as she can in a working girls' home but has not enough to pay her doctor's bills which are borne by a sister. She did not state how much these bills amount to. Frankie C., a candy dipper earning \$6.80 a week, after twenty years' employment by the same firm, said that if she were sick she would have to steal the money to pay her doctor bills. Her teeth are in very bad condition but she has not enough to pay for proper treatment. Again, Mary R., a candy packer earning \$4.50 a week, at the age of seventeen, with two and a half years' experience at her trade, has fainting spells and is obliged to expend \$2 a month for her medicine. Although she is ill, she cannot stop work for the much needed rest. A little Italian girl, who earns \$6 a week in a department store, is helping to support a sick father and a mother. She says that she ought to have glasses but she lacks the money. A more striking case is that of Catherine M., who has been earning \$7 a week. Some time ago she was struck by an automobile; lay ill in the hospital for several months. Her bills, including her board during convalescence, are all unpaid, with the exception of her back insurance, against which she has been making some progress. This girl waits on fifty customers a day at the ribbon counter, and her sales book often totals \$150 weekly. The pathos of it is that, although she is such an efficient saleswoman, she is unable to secure more than enough to maintain life. There are other illnesses not so acute. For instance many of the paper-box factories are not simply sickening because of the smell of paste, but are, in the winter, very cold, and the continued exposure to this extreme temperature is beyond doubt injurious.

These illustrations, then, serve to show that the inclusion in the wage of a provision for the maintenance of health is an absolute necessity. Not every girl, of course, has such expenditures; but sooner or later, eyes, or teeth, or general physical conditions are sure to demand attention, and, sometimes continued expenditure.

The second item to be considered under the head of incidental expenses is amusement. "What kind of pleasure can a shop girl have? It is home and work and work and home," is the query of Lena F. A good deal of pleasure comes to some of these girls. For instance, Elsie, a youngster who makes \$5 a week packing in the infants' department of one of the New York stores, and who lives in one of the best managed of the philanthropic homes, can answer Lena's question with a very luring tale. All of the elevator boys and some of the drivers wait upon Elsie. She has a spinal curvature, and she is so poor that she has to wear clothes given to her by her girl chum of superior means, yet she is engaged every night in the week, and she sometimes has difficulty in steering clear of one caller while waiting for another. Miss Alice P., of Utica, is dependent for amusement, not on the men, but on a girl stenographer who takes her around and provides fun for two. These attachments, between girls wherein the better-off aids the other are not uncommon. The life in some of the girls' boarding houses well illustrates their readiness to help each other. One, for instance, who came under observation, had just returned from a vacation with absolutely nothing in her pocket, but she was able to borrow half the hoard of a friend, who had fifty cents. Neither of them would receive any pay for six days, but they looked upon this accommodation as a matter of course, even though both would suffer from scant lunches during the week. Another girl, Miss H., who lives in Syracuse, says that she is "fortunate enough now to have a gentleman friend to provide her with amusement."

The point of these illustrations is simply this, that a large number of the young women working in this State do not have enough money to provide their own recreation. Some of them may be helped by girls, but the majority have to look to men. This means that those who are unattractive, and those who have puritanic

notions, fare but ill in the matter of enjoyments. On the other hand, those who do become popular have to compromise with the best conventional usage, in fact many of them know nothing about certain conventions. When the girls are dependent upon men for so much, they, of course, have to furnish their share of the good time by pleasing their escorts.

A slightly different aspect of the amusement question is that of the hours involved. The men who work driving teams or in the stores have to go home to wash and to change after their work, and often the evening's relaxation does not begin until half past eight or nine o'clock p. m. This means very late hours for the girls, and is another harmful element in their amusements. Of course, ample funds for pleasure would not keep the girls from friendship with men. That is not what is desired. The contention is that women should not be so dependent that they have to seek popularity with men in order to have their leisure time enjoyably occupied.

Finally, personal advancement must be included among the miscellaneous set of items under the head of spending money. Some of the girls have tried to go to night school, but many of them have found it too hard after the day's work. They have been dull and unable to master their lessons. The wear of business may be tremendous. In one of the leading department stores, for example, the cashier is allowed just exactly one minute for emptying the carrier, looking over the slip, filing it, making change, and loading and returning the carrier. This must be done in artificial light, amid the noise of many whirring tubes. The vacuum conduits, moreover, cause a considerable amount of dust. The nervous strain is so great that a girl at this task is completely exhausted by the end of the day. Again, a saleswoman, Miss C., has often seen girls practically fainting at night, because they had been compelled to stand during so much of the day. Another side of the same series of phenomena is illustrated in the case of an Annie M., twenty-one years old. She was employed at piece work and reached her highest speed two years ago. She said, "In the beginning I worked very hard, but I find that it is no use in losing my health, so I take it easy now." Miss Montgomery in her studies in Chicago found the girls very wary on this point; many

of them had tried the speeding up promoted by piece work, but they had been forced to relax their pace in order to preserve their health. Indeed, Miss Montgomery believes that periods of unemployment are the only things that save many of these girls from a permanent breakdown. So it is that working-women cannot be censured if they neglect the educational facilities provided by cities and philanthropic agencies. By nightfall they are too tired for intellectual work.

The importance of the item of miscellaneous expenditures or spending money can hardly be overestimated. Amusement is something absolutely necessary. In the first place, after work is over, there is a great deal of vacant time during the evening. It must be filled. A man or a woman with a splendid house, who can sit down by the fireside or library table, may not need to spend much money on outside recreation. The girl who lives in a room where the bed has to be folded up to make space enough that she may sit in a chair, is not in the same category. She has to go out for a large part of her pleasure, and money seems to be the only thing that will secure pleasure outside of the home. In the second place, after the strain of the day's work, nervous tension must be relaxed or different groups of nerves must be stimulated in order that the mental life may stay in any way balanced. Finally, a life devoid of pleasure is a life not worth living. If the wage does not provide something for pleasures the girl is not receiving a fair return for what she gives.

Health has already been emphasized. An allowance for physical care is absolutely essential. The necessary size of this allowance, of course, differs with the individual, but anyone is likely to have such need. Then, although it may be too much to expect the use of educational agencies, there should be some provision for a higher life. The girl should find it possible occasionally to buy a book or a paper, to have a few pictures in her room, to purchase the materials for correspondence, to attend church in such a way that she will feel self respecting in doing so, that is, to be able to make a contribution. So, because of the necessities of providing decent amusement, care of the health, and intellectual and moral advancement, an allowance for spending money is imperative.

WHY GIRLS WORK

Some interesting side lights upon the lives of working women were furnished by the investigation. In the first place, many persons hold that "pin money" is one of the large motives of girls for seeking employment. The investigators found among the nineteen hundred women interviewed just one who could positively be called a "pin money" worker. Others were in business for various reasons. Many had left school and had entered industry simply because others were "doing it," and one had forced her husband to move from a farm where he was very comfortably situated to the city, merely to afford her urban amusements. She had to go to work to help meet the additional expenses. On the other hand, there were many whom circumstances forced into business. Mention has already been made of the family traditions among large parts of the foreign elements. The girl is considered a financial asset and is compelled, therefore, to leave school early. Others are constrained by a need not born of tradition. One of these, for instance, Amelia B., of Troy, was taken from school because her brother's sickness compelled him to quit work and her labor was needed to increase the family income. She is but one among a host. A survey of the tables presented in the earlier part of this report, showing the large proportion of working-women who are entirely self dependent and the numbers who aid in the support of others, will serve sufficiently to disprove that time-worn "pin money" superstition.

MUTUAL HELP

Another interesting phase of the study was that which brought out the kindness of these women to each other. Not always are they benevolent; there is at times a clannishness. For instance, the girls in one store may not associate with those in another store, deeming themselves above such intercourse; and, besides, there are snobberies involved in the social distinctions between different trades. Yet, when one is appealed to for charity she generally responds. For example, Celia immigrated at the suggestion of her brother. She was so brutally enslaved by him that she had to run away from his home. She is one of the girls who are not popular, and she frequently sheds tears when the others start on their Sun-

day excursions; nevertheless she is willing, out of her pittance, to give financial aid to a needy sister. A certain Julia O., of Troy, recently lost her parents. Neighbors instantly came to her aid, fitting her up with a complete black outfit for her mourning. Another young woman was working hard when a foreman with good wages and an unimpeachable character desired to marry her; but she knew that her family needed her earnings, and she refused him for that reason alone. It nearly broke her heart, but she made the sacrifice for her mother. Another girl, a department store telephone operator in Utica, is helping keep her brother in college. He is ambitious to be a professor, and he promises to pay back the advances, but she has not even been through high school. These instances of sacrifice can be multiplied indefinitely. They show the spirit of the women, often thoughtless, but ready to respond generously to an appeal for help.

LOW WAGES AND SLOW ADVANCEMENT

Another interesting feature of the employment of working women is the long apprenticeships which they serve on very low wages. Lillian F. is a saleswoman in one of the principal department stores in Albany. She has served there for two years and is twenty-three years of age, but her weekly wage amounts to but \$5. She cannot be altogether stupid, for she is a graduate of the parochial schools. Another Albany girl, Mary H., aged twenty-two, is working for even less; \$4.50 a week is all that she receives. Twice she has been promised a raise, but the pledge has not materialized. In New York City a woman worked five years in a department store before she reached the wage of \$7 a week. Many other examples have been given in the text above which illustrate the difficulty of obtaining wage advancement. The tables compiled from some returns in another part of the general investigation show that very many work long periods without increase of pay, and some, after years of experience, are earning less than they received when they first entered industry.

"How," it may be asked, "are increases in wages obtained?" The answers of girls on this point are heterogeneous in the extreme. Occasionally there is more or less of a system of advancement with length of service, but in many of the stores there is a high limit.

For instance, the five-and-ten-cent stores seems very seldom to pay more than \$7 a week even to the most skillful and experienced of saleswomen. In some of these stores the cash registers are emptied every two or three hours in order that the employees may not know how much they are selling. Such knowledge might encourage demands for raises. That the wage received does not entirely depend upon merit may be gathered from the stories of many women. They say that they have worked for a long time in one department store at a given sum. They were refused advancement, but when they applied for positions at other stores, claiming that they had been receiving \$1 or \$2 more a week than had been the fact, they were hired at these larger sums. In other words, ability to "bluff" seems to be the main requisite for obtaining a raise, and frequently this ability is available only when the girl changes her employer.

In spite of the numerous examples of extreme poverty and of long struggles on low wages which were disclosed by this investigation, the agents came upon very few persons who seemed actually to despair. The matron in one of the homes claims that all the girls are "perfectly contented with the salaries they get and with their way of living." Her opinion is scarcely confirmed by the conversations of the investigator with the very persons of whom she speaks. There is one thing in particular that contributes to a continual uneasiness, and that is the uncertainty of employment. Many operatives in the factories are always liable to season or temporary shut downs, while some of those who work in department stores claim that, in the words of one of them, "you never know Saturday night when your pay envelope comes whether you are going to have a job Monday morning." Some department stores frequently advise their help to take a vacation, sometimes of a month or more, during the summer. This vacation is without pay, and its significance seems to be that the girl so favored is given the first opportunity to fill her old place when the brisk fall trade requires the employment of a larger force. Another element of uncertainty is the practice of some stores of discharging their higher paid women in order to employ others at lower wages. Again, during the Christmas trade, many are placed on their mettle, for they may be dismissed to make way for more promising girls chosen from among the temporary help.

In the face of these facts few of the girls express despair. One was found who feared, for a long time, that her only refuge was suicide, but now she sees that everyone is in misery similar to hers, and, although she declares that she cannot marry, she desires to live to see what the future will bring. Another young girl was more or less of a religious fanatic. She lost every job she secured simply because she would not work on Saturday. Her Jewish father commends her as an example of martyrdom to religious convictions. She herself, in a terrible quandary, suggests that the probable outcome will be the use of gas. These isolated examples, however, are not significant of the general attitude of the women interviewed. They seem, on the whole, to be thoughtless rather than deeply disturbed over their prospects.

OFFICIAL ESTIMATE OF THE COST OF LIVING OF WORKING-WOMEN

When the attempt is made to estimate the cost of living in New York, the first impulse is to investigate what has been done in other states. California, Colorado, Massachusetts, Minnesota, Nebraska, Oregon, Utah, Washington, and Wisconsin already have minimum wage laws and it seems worth while to ask how, in these commonwealths, the proper minimum has been determined. In Utah, the law first proposed somewhat resembled that of Massachusetts. The women of the federated clubs desired to have investigations of the cost of living for female employees in the different industries as a basis for finding the minima in these industries. This was felt by the employers to be too cumbersome and so a brief bill was passed providing that, "It shall be unlawful for any regular employer of female workers in the state of Utah to pay any woman (female) less than the wage specified in this section, to wit: For minors, under the age of eighteen years, not less than seventy-five cents per day; for adult learners and apprentices not less than ninety cents per day: Provided, that the learning period or apprenticeship shall not extend more than one year; for adults who are experienced in the work they are employed to perform, not less than one dollar and twenty-five cents per day." This means that Utah has established a flat minimum wage for experienced adult female workers at a rate equal to \$7.50 a week.

California provided by law that the minimum wage to be allowed should cover the "necessary cost of proper living" and should be ample "to maintain the health and welfare" of women and minors under eighteen. Although an investigation is in progress in that state no minimum wage had been set at the time this report was being written.

In Minnesota, likewise, minimum wages were to be fixed, by a commission, for women and for minors under twenty-one. They were to be sufficient to "maintain the worker in health and supply him with necessary comforts and conditions of reasonable life." After investigation, the Minimum Wage Commission, on October 23, 1914, fixed the minimum wages to be paid to women and minors "of ordinary ability" at \$8, \$8.25, and \$8.75 in manufacturing employments, according to location outside of cities and in cities of different classes; and the corresponding wages in mercantile employments at \$8, \$8.50 and \$9. These rates are not to apply to learners or apprentices. At the time of writing a court injunction has halted the enforcement of the Commission's orders.

In Oregon, where the law provides for a minimum wage, for women and minors under eighteen, equal to the "necessary cost of living and to maintain the workers in health," several orders have been officially issued. In Portland adult women may not be employed in manufacturing establishments at less than \$8.64 per week, in mercantile establishments at less than \$9.25 per week, and in offices at less than \$40 per month. For the State of Oregon as a whole the minimum weekly wage that has been set for adult women in any industry is \$8.25. These figures apply to experienced workers only. The secretary of the Industrial Welfare Commission of Oregon says, "In estimating the minimum wage for women workers in Oregon the determination of the amount necessary to defray the cost of living and to maintain the workers in health was obviously a matter of approximation. * * * The result was reached by a general agreement, but it must be understood as involving the element of what was practical as the initial ruling under a wage law." The constitutionality of the Oregon Law is now being considered by the United States Supreme Court.

In the State of Washington numerous orders have been promulgated by the Industrial Welfare Commission fixing the minimum

wages of female adult workers in the laundries and dye works at \$9 a week, in the factories at \$8.90 a week, in the telephone and telegraph service at \$9 a week, and in mercantile establishments at \$10 a week. The exact method pursued in arriving at these minima does not seem to be available, although a large amount of material was gathered by the secretary, Miss Caroline Gleason.

Perhaps the most thorough-going attempt to fix a minimum wage is the first ruling of the Massachusetts Board. The Massachusetts law provides that the wage shall be such as to cover "necessary cost of living and to maintain the worker in health," and also that it shall be set with regard to "the financial condition of the occupation." The Massachusetts Commission, in the case of the Brush Makers' Board, received estimates from both operatives and employers, and studied, to some extent, the financial conditions of the occupation. The women employees in the brush making industry believed \$10.60 a week to be the proper minimum wage but the Board set the figure at \$8.71. The items included were:

| | |
|---|--------|
| Board and lodging..... | \$5.25 |
| Clothing (at the rate of \$75 a year)..... | 1.44 |
| Laundry | .50 |
| Doctor and dentist..... | .20 |
| Church | .10 |
| Newspapers and magazines..... | .16 |
| Vacation | .19 |
| Recreation (allowing for moving pictures once in two weeks) | .05 |
| Theatre (once a month)..... | .12 |
| Car fares | .70 |
| Total..... | \$8.71 |

Upon further study the Committee reached the final estimate, \$8.28. The income was to be apportioned thus:

| | |
|------------------|--------|
| For lodging..... | \$1.50 |
| Board | 3.00 |
| Clothes | .87 |

| | |
|-------------------|---------------|
| Car fare | \$0.60 |
| Other things..... | .17 |
| Total..... | <u>\$6.14</u> |

"This," says the report, "makes no allowance for church, for reading matter except from the free library, for recreation or vacation, for savings or for insurance." The Board, therefore, felt that this \$6.14 must be increased as follows:

| | |
|---|---------------|
| Laundry | \$0.20 |
| Church | .10 |
| 1 newspaper every other day and 1 Sunday paper..... | .08 |
| 1 vacation in the year (\$10)..... | .19 |
| Picture show once in 2 weeks..... | .05 |
| Theatre once in 2 months..... | .04 |
| Additional amount for clothes (\$25)..... | .48 |
| Additional amount for food..... | .50 |
| Additional amount for lodging and extras connected with lodging . . . | .50 |
| | <u>\$2.14</u> |

"The lowest total for human living conditions for an individual in Boston is thus seen to be \$8.28." It will be noted that this estimate leaves out allowance for doctor bills and for savings. This work of the Massachusetts Board in setting the minimum socially permissible wage for women workers at \$8.28 is probably the most authoritative attempt so far made. The Board seems, however, to have paid no attention to the financial condition of the industry.

The wage finally adopted was fifteen and a half cents an hour for adult experienced makers, or \$7.75 for an average week of fifty hours at the end of a year this wage is to be raised to eighteen cents an hour or \$9.00 for the fifty-hour week.

It seems, therefore, that little can be learned from the work in other states for two reasons: first, that there is no certainty that living costs in other commonwealths approximate those in New

York, although there is reason for believing that there is no great difference in at least some elements, and, second, because only one of the states appears to have had a satisfactory method of defining the minimum. The other agencies acknowledged their own guesswork.

REPLIES TO QUESTIONNAIRE ISSUED BY COMMISSION

It is, therefore, evident that little aid in setting the cost of living is to be found in the official work of other states. However, another resource is available. In May the Commission addressed a questionnaire letter to a large number of persons whose opinions were considered valuable. A copy of this letter follows:

NEW YORK, May 4, 1914

Dear Sir (Madam): The Factory Commission has been asked to report upon the advisability of fixing minimum rates of wages in industries throughout the State. To aid in determining this question, the Commission has gathered data concerning the wages of people in several lines of work. It is now desirous of learning from persons in a position to judge, what income is necessary to maintain workers adequately in your community. You are therefore urgently requested to state what amount on the average for a week or a year, is required in the locality in which you reside or are familiar with, to support in simple decency and working efficiency:

1. A young woman of sixteen to eighteen years living independently.
2. A young man of sixteen to eighteen years living independently.
3. An adult woman living independently.
4. An adult man living independently.
5. A normal family containing one man at work, one woman doing her own housework and three children under fourteen at school.

If you cannot make a statement with regard to all of these, will you please reply for the cases with which you are familiar.

We should be glad to have you specify also, if you find it possible to do so, the items of expense for lodging, food, clothing, insurance, recreation, savings, etc.

If you find it desirable to differentiate standards for certain classes of persons or special kinds of employment, please make such designations.

Assuring you that your contribution will be of value to the Commission in deciding this important question, and thanking you for your co-operation, I am

Yours very truly,

ROBERT F. WAGNER,

Chairman of the Commission.

This letter, it will be noted, asks for estimates of the cost of living in decency for, (1) a young woman of sixteen to eighteen years, (2) a young man of sixteen to eighteen years, (3) an adult woman, (4) an adult man, (all of these living independently), and (5) for a normal family consisting of a man, his wife and three children at school. The replies to this questionnaire were extremely interesting. A number of the best are published as Appendix III to this report. Some of them have been summarized in Tables XXVII and XXVIII. On each line is shown the name of the writer, wherever possible, his occupation, and, if his letter contained the necessary information, a brief description of his method. This tabulation has been made in order that the interested reader may inspect with the least possible effort the conclusions arrived at by a wide variety of people. The value of these letters, however, as indicating the cost of living is a matter of doubt.

In the first place, many of the replies were based purely on impression. Some correspondents frankly admitted that their judgment had been influenced by certain articles appearing in the periodicals. Others gave one or two specific instances and based their conclusions wholly upon them. Still others confessed that they were consciously guessing.

Another reason for mistrusting the value of the replies to the questionnaire is the obviously idealistic tendency of many of them. For example, some man may be acquainted with a young lady who manages to keep up a good appearance on \$6 a week. He considers that fact conclusive evidence that \$6 a week is

ample for the living wage. His idealism consists in the belief that what one person can do another can do. An idealism of this sort leads to a cheerful but harmful optimism. On the other hand, there is the idealism exhibited in the replies of some girls and of some laboring men, an idealism that demands exorbitant incomes in the belief that things, admittedly desirable, but assuredly not necessities, should be included in the minimum. Noticeable among this list was the college professor who put the cost of living for a family at \$5,000, because he had difficulty in securing all he desired on that sum.

Most disappointing of all were the replies from some social workers. They obviously did not adequately estimate the cost of living. There are two reasons for the lack of value in the opinions of these social workers. In the first place, they are so plagued with numerous inquiries on this subject that they are apt to turn aside an additional letter with scant consideration; and, in the second place, they are, to a large extent, specialists in the study of particular problems, and very few of them are primarily interested in the cost of living.

When estimates by the working girls themselves are considered, it is obvious that some individuals desired to "get all they can," as they expressed it in at least one meeting of a woman's trade union. That is, they are apt to set the cost of living a bit higher than even they would admit, on pressing, was absolutely necessary. Moreover, some of these girls show an extraordinary lack of good judgment. For instance, there was a group that cared nothing for better food, but wanted a large allowance for more clothing. Yet this may be said, that the investigator who questioned a considerable number of girls in Rochester received remarkably sane replies. Of the twenty-one girls whom she consulted every one gave either \$8, \$9 or a figure between the two.

Another circumstance that occasions distrust of these estimates are the obvious omissions from many of the detailed budgets that were offered. That is, they frequently left out entirely an allowance for health, for recreation, or for other incidental expenditures. For all these reasons it would seem as if, on the whole, too much faith is not to be placed in the replies to the questionnaire.

TABLE XXVII
ESTIMATES OF THE LIVING WAGE FOR WOMEN IN NEW YORK CITY

| I | | II | III | IV | |
|------|--|--|---|-----------------------|------------|
| NAME | | Profession | Basis of estimate | LIVING WAGE FOR WOMEN | V |
| | | | | Under 18 | 18 or over |
| | | | | per week | per week |
| 1 | Miss Katherine Anthony | Investigator, Russell Sage Foundation | Intensive study of family life | \$10.00 | \$12.00 |
| 2 | Miss Sophie Berger | Supt. Young Women's Hebrew Association | Experience in work with girls | 9.50 | 9.50 |
| 3 | F. J. Bruno | A. I. C. P., N. Y. C., General Director | Experience with assisted families | 8.50 | 8.50 |
| 4 | B. B. Burek | A. I. C. P., N. Y. C., General Director | Study of original budgets | 8.50 | 8.50 |
| 5 | Jonathan C. Day | Supt. Labor Temple | Study of original budgets | 12.00 | 12.00 |
| 6 | Miss Sarah Elkus | Supt. Educational Alliance | Experience and investigation | 10.00 | 10.00 |
| 7 | Miss Caroline Goodyear | C. O. S., District Secretary | Conference with social workers | 9.00 | 9.00 |
| 8 | Miss Edna Hixon | Treas. A. I. C. P., Brooklyn | Wide inquiry in typical cases | 7.00 | 7.80 |
| 9 | Miss Edna Kiser | Secy. Madison House | Experience | 8.18 | 8.18 |
| 10 | Thomas J. Lilly | Brooklyn Bureau of Charities | Experience | 8.00 | 8.00 |
| 11 | Owen R. Lovejoy | Secy. National Child Labor Commission | Experience | 9.00 | 9.00 |
| 12 | Solomon Lowenstein | Supt. Hebrew Orphan Asylum | Discussions by girls who make own clothes | 12.00 | 12.00 |
| 13 | Mrs. Maud Nathan | President Consumers' League | Inquiries among working people | 8.00 | 8.00 |
| 14 | John P. Newcomb | Hardley House | An estimate by a girl | 12.00 | 12.00 |
| 15 | Peter Roberts | Y. M. C. A., International Secretary | Personal study of girls and budgets | 8.00 | 8.00 |
| 16 | Miss Florence Sims | Industrial Dept. Y. W. C. A. P. | Experience in work with girls | 9.00 | 10.00 |
| 17 | Roswell Steel, Jr. | Teacher Home Economics, N. Y. C. schools | Study of typical cases | 7.50-8.50 | 10.00 |
| 18 | Miss Nellie M. Smith | Factory Inspector | Knowledge of prices | 9.00 | 10.00 |
| 19 | Miss Edith J. Swan | General Organizer, A. F. L. | Result of committee discussion | 10-12.00 | 15-18.00 |
| 20 | Hugh F. Walsh | Secy. United Bd. Bus. Agents, Bldg. Trades | Experience in settlement work | 12.00 | 12.00 |
| 21 | Timothy Healy | Professor of Economics | Impressions | 8.70 | 12.50 |
| 22 | Roswell D. Tompkins | Director Rand School of Social Science | Professional experience, social work | 8.00 | 12.00 |
| 23 | E. E. Agger | Publicist | Estimate of factory superintendent | 8.00 | 10.00 |
| 24 | Almon Lee | Business man | Estimate of factory superintendent | 7.00 | 8.00 |
| 25 | Walter E. Oppman | Manufacturer | Estimate of factory superintendent | 8.00 | 10.00 |
| 26 | George G. Battis | Statistician | Estimate of factory superintendent | 9.00 | 13.40 |
| 27 | R. Fulton Cutting | Laboratory N. Y. Post Grad. Med. Hosp. | Estimate of factory superintendent | 10.00 | 12.00 |
| 28 | C. E. Gardner | Manufacturer | Estimate of factory superintendent | 10.00 | 12.00 |
| 29 | W. J. MacNeal, M. D. | Asst. Secy., Efficiency Society | Estimate of factory superintendent | 10.00 | 12.00 |
| 30 | Wynne W. Robinson | Asst. Secy., Efficiency Society | Estimate of factory superintendent | 10.00 | 12.00 |
| 31 | R. W. Walker | Asst. Secy., Efficiency Society | Estimate of factory superintendent | 10.00 | 12.00 |
| 32 | Average of all estimates submitted: 53 for women under 18, 51 for woman 18 or over | | | \$10.98 | \$11.36 |
| 33 | Actual mediums of all estimates | | | \$9.00 | \$10.00 |

* \$6 for factory girls only.

On the other hand, a large number of individuals spent a great deal of time and effort in compiling their estimates of the cost of living. Some labor unions very kindly appointed special committees that investigated the subject with considerable care. Some of them even gathered a large number of budgets and made detailed studies of the costs of important items. So it can be said that, although, on the whole, these estimates are untrustworthy, many of them are well worth consideration.

An examination of Table XXVII will show that there was a considerable range in the estimates of the minimum cost of living in New York City for girls under eighteen years of age, the lowest figure being \$6 "for factory workers," and the highest \$12.50. For adult women in that municipality the lowest sum named as a living wage is \$6 and the highest \$15 to \$18. Somewhere within this wide range the living wage can be set. The mean of all of the estimates submitted for women under eighteen in New York City was \$10.98, practically \$11, and for the adult women \$11.36. These averages are probably not quite as significant as the medians. There were as many persons who considered something less than \$9 a living wage for the girl under eighteen as there were who set their estimate above that figure. It is interesting to note that of the thirty-six estimates recorded in the table, sixteen were either \$8, \$8 and a fraction, or \$9. When the adult women are considered the median suggested wage is \$10, but there is no such distinct grouping as for the younger girls.

Turning now to the estimates in Table XXVIII, those for the women living outside of New York City, the average of the proposed minimum wages for the girls under eighteen is \$8.91 and the median exactly \$9. For the mature women the average estimate is \$10.15 and the median, \$9.80. This then is a noteworthy fact, that the medians of the estimates both for New York and for up-state girls and women almost exactly coincide, whereas the averages are approximately \$1 higher for the girls and women living in New York City.

In addition to the data in Table XXVIII, estimates were secured from twenty-one employees of the Rochester department

stores. Of these twenty-one young women ten considered \$9 a living wage; eight set it at \$8, two at \$8.50, and one at \$8.75. In short, the average estimate of these employees was \$8.56 and the median \$8.75. The median, therefore, of the estimates made by these girls was only twenty-five cents different from the median of the estimates for women under eighteen made by those who were not directly interested in industry, and the average was very little different from the average found for the younger girls. For further study of these estimates the reader is referred to the Tables XXVII and XXVIII and to the letters which are published in Appendix III.

TABLE XXVIII
ESTIMATE OF THE LIVING WAGE FOR WOMEN IN NEW YORK STATE, OUTSIDE OF NEW YORK CITY

| I | II | III | IV | V | | VI |
|----------------|--------------------|--|--------------------------|----------|------------|----|
| | | | | Under 18 | 18 or over | |
| Place | Name | Profession | Basis of Estimate | | | |
| 1 Albany..... | A person..... | International Red Cross..... | Personal Experience..... | \$10.00 | \$15.00 | |
| 2 Albany..... | Mary I. Breed..... | Society for Co-operation of Charities..... | ..... | 8.00 | 8.00 | |
| 3 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 8.00 | 10.00 | |
| 4 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 9.61 | 13.46 | |
| 5 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 6 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 9.10 | 9.10 | |
| 7 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 8 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 9 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 10 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 11 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 12 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 13 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 14 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 15 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 16 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 17 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 18 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 19 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 20 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 21 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 22 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 23 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 24 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 25 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 26 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 27 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 28 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 29 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 30 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 31 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 32 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 33 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 34 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 35 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |
| 36 Albany..... | Wm. C. Rogers..... | Second Deputy Commissioner of Labor..... | ..... | 10.12 | 10.12 | |

RELATION OF AGE TO COST OF LIVING OF WORKING WOMAN

The method adopted here in making the estimate of the cost of living of an independent working woman in New York State demands some explanation. In the first place, it was decided that no difference should be made in the amounts allowed for the girls under eighteen and the women of eighteen years or more. The reason for arriving at this conclusion was that there seemed to be no positive argument for making the distinction. Many of those who contributed answers to the Commissions questionnaire did make such a discrimination. Most of those who did so offered no explanation whatever, seeming to assume without consideration that the older woman needs a larger sum than the girl. Others would give more to the younger woman. An analysis of the arguments for a distinction may, therefore, be necessary in order to show their lack of conclusiveness.

In the first place, there were a number of correspondents who held that the younger women should receive a larger wage than the adults. The first justification advanced for this belief was that the younger woman has a greater need of amusement. She must be able to spend more for the moving pictures and other forms of recreation. Can such a contention be accepted? Is it not true that, if the older woman cares less for certain forms of amusement, which need not be granted, she does need recreation as much as her younger sister? Her tastes may have changed but not her need for recuperation. Some of the more refined amusements, moreover, are the most costly. The second reason assigned for giving the younger woman a larger wage is that, because she has a less maturity of judgment, she is more likely to squander money. If a minimum is to be established by law it is not wise deliberately to make that minimum high enough to include an allowance for the extravagances due to immaturity, for, if waste is thus encouraged, the older woman cannot rationally be expected to correct her careless habits, and may never be ready for a reduction of her pay. The third reason for giving a larger wage to the young woman was that she was less capable of rigid economy, because her bodily needs were somewhat different from those of the adult. It is difficult to say positively

that such a theory is wholly wrong. The girl has to consume food enough to furnish material for growth as well as to provide energy for work. On the other hand, it is questionable whether eighteen is the proper age for ending such an allowance, and, moreover, no one attempted to show how much money would be necessary to purchase this additional food. Finally, as far as this investigation has revealed the facts, the boarding houses seem never to make a distinction in price between the girl and the adult woman. A fourth argument has been advanced for giving the girl more than her senior. It is said that the older woman can prepare her own meals, and so, by buying the raw food and cooking it herself, she can economize in the expense of her board. This saving can doubtless be realized but it is questionable whether the adult has any more time and energy to devote to cooking before and after her work than has the girl. Neither should be called upon for this additional exertion. The grounds, then, for giving a greater wage to the girl than to the adult woman are from a practical standpoint absolutely untenable.

Hardly more acceptable are the reasons advanced for giving more money to the older woman. In the first place, it is sometimes held that the adult ought to be saving more than the girl. In the preceding discussion of savings a hint was given which would meet this argument. The girl looking forward to matrimony ought to have something laid by either for her trousseau or that she may be independent while choosing her husband. Moreover, unless the habit of saving is early cultivated, there is great danger that it will never be formed. Finally the older a woman is the less opportunity will she have to accumulate a fund large enough to serve her when she cannot work. In other words, she ought to begin accumulation early if there is to be a reserve. In the second place, it is argued that the older women frequently have greater responsibilities, and so should receive larger wages. This argument is very plausible; but the numerous illustrations which have been given in the preceding sections of the report show that there are a great many young women who bear heavy responsibilities to their families. Indeed, a rather careful inspection of the individual returns seems to indicate that, although as girls grow older there is a gradual increase of the proportion of

those called upon to support other individuals, nevertheless it is ludicrous to say, "Below this age, the women are so free from obligations that they need no money except for their own expenses." In the third place, it is argued that the older woman needs a larger wage because her tastes are developing as she matures and it requires a larger sum to fulfill these greater desires. It is perfectly proper to consider it desirable for a woman, as she grows older, to enjoy more and more the good things of life. On the other hand the dictates of taste can hardly be considered demands of necessity. It is, therefore, not logically obligatory on one setting a minimum wage to provide for the adult woman's enlarging desires. So analysis seems to show that the arguments for giving the older woman more are as weak as the arguments for giving the girl more.

In the last two paragraphs, it is shown that there seems to be no adequate reason for differentiating between the girl and the adult woman when setting the cost of living. This negative evidence may be supported by a few more positive considerations. First, there appears to be no appreciable difference in the demands of dress. True, the time comes in life when it is no longer necessary to have party raiment, but the young lady who is willing to forewear her social amusements at the age of eighteen is a rare exception. Moreover, no discrimination based on age is made in the rates of boarding houses. Again, consider the cost of insurance. If a woman has commenced her policy payments at an early age they do not increase as she grows older. Or if she takes out her policy a few years later, the difference would not be great. For instance, in the case of industrial insurance, at the age of seventeen, ten cents a week will buy a whole life policy for \$232, at the age of twenty this sum will purchase \$210. This is a very slight difference if reduced to the weekly cost per thousand dollars (about five cents). Moreover, there is no difference due to age in expenditure for transportation. And, finally, there is no very strong reason for believing that the needs of health will require less or more for either group of women. So, positively, because there is an apparent equality of needs it seems impossible to decide that either the girl or the adult woman requires a larger wage than the other.

METHOD OF MAKING ESTIMATE

The method employed in this report for estimating the cost of living is one to which serious objection has been raised. The different items of cost are separately determined and then combined. The reason for objecting to this synthetic method has been, in the past, that it has involved so large an element of guess work. The reason for adopting it is that no more satisfactory plan appears. The data available for use in this report are necessarily fragmentary, and it has been impossible to rely solely on the facts elicited by the interviews with the girls. Even if the budgets were complete, however, they alone would not furnish material for an authoritative estimate of the minimum cost of living. Suppose that after a weekly wage of perhaps \$9 is reached the percentage of expenditure for board falls off and that for clothing increases; this by no means proves that, at the wage of \$9 a week, a girl is able properly to satisfy her needs for food. It simply signifies that the average girl on reaching the wage of \$9, possibly not realizing the other needs, *thinks* she can spend more for clothing. And so the method, frequently employed, of observing percentage expenditures by wage groups and thus showing that one item has grown in its proportionate share of attention while another has diminished, is, from the standpoint of one wishing trustworthy conclusions, absolutely inadmissible.

Moreover, it has been impossible to adopt the results attained by the official bodies fixing minimum wages in the other states for two reasons: first, that only in one of these states was there employed a satisfactory system of making an estimate; and, second, that there is no ground for being confident that the cost of living in New York is the same as in other commonwealths.

Another method frequently adopted in determining the cost of living makes use of the cost of maintaining persons in various institutions. This method involves a tremendous fallacy. In institutions where sustenance is furnished to a great number, economies impossible in the family can be introduced; and most working women live either in their own families or as boarders in private families. Again, the cost of maintenance in an insti-

tution does not include many of the privileges, such as the use of a "parlor", which any independent woman should enjoy. Nor does it provide various highly desirable forms of recreation and enjoyment. Finally, because expert management can be employed, the cost in the institution should be low. The private family has to make the best of its own rather limited financial talents.

It is a mistake, moreover, to adopt entire the figures of various relief agencies. The associations which pension widows, for instance, secure gifts of clothing, and there is consequently, no way of telling the real cost of clothing their dependent families.

Since the methods hitherto employed in estimating the cost of living cannot be accepted the present synthetic method seems the only one available. It is adopted for these additional reasons:— In the first place, each item in the budget is separately presented and so discussed as to allow specific criticism. In the second place, the major items of the budget are ascertainable within fairly narrow limits. It was, for example, impossible to test, on a scale large enough to be satisfactory, the quality of board and lodging furnished at different prices. Such an investigation would have been worth while, but was beyond the resources of the Commission. Therefore, the commercial cost of food and lodging has been estimated on the basis of the very best scientific data available, namely, the standard used by the New York City Association for Improving the Condition of the Poor, a standard derived from the long practical experience of expert students of dietetics. This estimate gives a fairly accurate minimum for the cost of food. The cost of a room was fixed from a knowledge of the rental of model tenements run on a semi-philanthropic basis which allows returns of but five per cent. on the investment. In the third place, there is another group of items such as the allowance for health and for spending money which must necessarily be left to the judgment. There has as yet been developed no scientific method of determining how much each wage should contain as a specific allowance for health. If there were in this State a well developed system of sickness insurance the matter would be simple; but without such a system of distributing costs actually in existence it is impossible to say with exactness what the

individuals of any one group should be allowed for the preservation of their health. If this item cannot be scientifically determined, even more uncertain is the amount needed for spending money.

One other matter must be mentioned, only one estimate is submitted. That is, no distinction is made in the minimum cost of living based upon whether women live independently or at home. The estimate is based upon the conditions of those who live independently, and it is assumed that the cost for others will be approximately the same. This is done for a very practical reason. Hardly had the new workman's compensation act gone into effect when it was charged that some of the companies that were permitted to maintain their own insurance funds were giving preference in employment to single men because of the lower scale of payments for injuries to the unmarried. Even now, a similar condition exists in certain industries with regard to girls. Some employers refuse to engage girls unless they live at home with their parents. The ground for this discrimination is that the wages offered are insufficient to maintain women living independently. It is clear, therefore, that if a minimum wage is set lower for women living at home, than for those living independently, the tendency would be to throw out of employment the women who have least resource, who are most dependent upon their own exertions. With this justification of the method pursued it is now possible to turn to the result.

COST OF LIVING FOR WORKING-WOMEN

In the first place a decent supply of clothing can be obtained for approximately \$88 a year. This figure holds for all the cities of the State as far as the agents could ascertain. Now, if a young woman has *capital*, if she can buy her wash dresses in the latter part of August and woolen cloth or her heavy skirts at the beginning of the summer, she can get along for very much less; but life is not thus regulated. The stores could not prosper if everyone waited for bargain day; and, on the other hand, the girls do not have resources enough to purchase ahead. They have to buy as they need; they frequently have to resort to installment payments. Therefore, it is impossible to base the necessary cost of clothing on bargain prices. Likewise this cost should not be

estimated at secondhand prices, for, although some can obtain secondhand clothing and thus realize economies, it is not to be expected that the vast hosts of working women in the State could do so. It is fair to consider that \$88 will just about supply the clothing necessary for a working woman. To this must be added forty cents per week for laundry. If her occupation required good dressing, more than this sum would be necessary.

The expense of board and room in New York City has been estimated with sufficient accuracy at \$4 a week or approximately \$208 a year. Lunches, at ninety cents a week for fifty-two weeks, amount to \$46.80. So large a proportion of working women have to pay carfare, that an allowance of ten cents a day, or sixty cents a week, must be included in any estimate of a living wage. This amounts to \$31.20 for the year. An allowance should also be made for life insurance. One should ordinarily find it possible to provide for death. Very frequently a woman has relatives who, if she leaves nothing, will have to bear the expenses of her funeral, and almost as frequently she has relatives who are at least in part dependent on her earnings. An allowance in a round sum of \$20 a year would purchase \$1,000 or more in the whole life policies if insurance is begun at a fairly early age.

For recreation and amusement certainly not less than fifty cents a week or \$26 a year should be allowed. This is an exceedingly small sum when one comes to think what can actually be bought with it. A few evenings at the "movies," five at the more respectable shows, a couple of trips on the trolleys, with a bit of refreshment,—such is about the limit of the recreation that can be had for fifty cents a week. And then, there must be an allowance for incidentals; dentist's or physician's bills, oculist's fees, little presents to friends which must occasionally be purchased, and a host of other objects will require at least fifty cents a week, making another \$26 for the year. Adding these amounts together the sum of \$466.80 is obtained.

| | |
|--|---------|
| 1. Clothing | \$88 00 |
| 2. Laundry | 20 80 |
| 3. Room and board (except lunches) | 208 00 |
| 4. Lunches | 46 80 |
| 5. Carfares | 31 20 |

| | |
|-------------------------------------|-----------------|
| 6. Insurance | \$20 00 |
| 7. Amusement, recreation | 26 00 |
| 8. Health and incidentals | 26 00 |
| Total | <u>\$466 80</u> |

Now \$466.80 amounts to approximately \$8.97 a week. It can, therefore, be said that \$9 a week, *if a steady income*, will suffice to maintain in decency a working woman in New York City. It should be kept in mind that this allowance of \$9 a week is not large enough to permit any saving. This conclusion is arrived at in two ways. First, in the synthetic budget all the money seems to have necessary use if the wage is \$9 a week, and, second, the working women studied actually found it impossible to save until they had attained the wage of \$10 or more, as was shown in Table XXIII. If savings are considered a necessity for the working-woman the minimum cost of living must be set above \$9 by the amount which it is considered should be saved in a week.

Too much emphasis can not be put upon the fact that this must be a regular income for, as has been shown in Dr. Woolston's report, so many are unemployed part of the time that idleness seriously cuts into earnings.

It will be remembered that rents are lower in Troy and in Buffalo than in New York City. This makes the cost of room and board approximately eighty cents less in Buffalo than in the metropolis. It is, therefore, safe to conclude that the minimum weekly cost of living for a working woman in Buffalo is about \$8.20.

These estimates are set at a *minimum*. No special allowance is made for a vacation with its extra expense, nor is there any inclusion for savings. *It is, therefore, safe to say that the very least upon which a working woman can decently maintain herself in that city of the State where rents and food prices seem about the lowest, in Buffalo, is \$8.20 per week the year around, and in New York City \$9.*

PART II
COST OF LIVING TO MEN LIVING INDEPENDENTLY

[1611]

COST OF LIVING TO MEN LIVING INDEPENDENTLY

The agents of the Commission, in their visits to the factories, secured little information which would be of use in determining the cost of living for a man living independently. It was more difficult to obtain personal interviews with men than to secure the privilege of talking to women; and the women were more communicative than were the men. In the second place, there was but a small proportion of men in the mercantile establishments where a large majority of the interviews were taken. Therefore, it has been deemed unwise to attempt to present more than a few facts based upon the work of the investigators.

There is a lack of studies of the cost of living to the single man. The reason for this has been suggested in the discussion of the young women. If the man who is unmarried is given by law a lower minimum wage than the head of the family, then a premium is placed upon the employment of single men. For this all sufficient reason it would be unwise to set different minimum wages for married and single men. It is, then, merely from the standpoint of interest rather than from a desire to obtain results of practical value that this short note on the cost of living to the single man is written.

REPLIES TO QUESTIONNAIRE

The questionnaire regarding the cost of living which was sent out by the Commission to various authorities in New York State has been described, and the worth of the replies has been estimated in the discussion of the women. At this point it is worth while to present a tabulation of the estimates in so far as they apply to the single man.

From persons acquainted with living conditions in New York City, thirty-two replies were received. These are presented in Table XXIX. The lowest estimate of the weekly cost of living for a youth under eighteen years of age in New York City is from \$6 to \$7 and the highest is \$15. The average estimate is \$10.38 and the median exactly \$10. It should be noted that five estimates placed the cost of living for the youth at \$8 to \$8.99, six at \$9 to \$9.99 and seven at \$10 to \$10.99. Thus eighteen, or more than

[1613]

TABLE XXIX
ESTIMATES OF THE WEEKLY COST OF LIVING TO MEN IN NEW YORK CITY LIVING INDEPENDENTLY

| NAME | Profession | Basis of estimate | COST OF LIVING FOR MEN | |
|-------------------------------|--|--|------------------------|------------|
| | | | Under 18 | 18 or over |
| 1 Miss Katharine Anthony..... | Investigator and Publicist..... | Close study of the middle west side. | \$10.00 | \$12.00 |
| 2 F. J. Bruno..... | Supt. N. Y. C. Charity Organisation Society..... | Experience with assisted families. | 9-12.00 | 8-8.50 |
| 3 E. B. Buritt..... | N. Y. Assn. for Improving Condition of the Poor..... | Experience with assisted families. | 8.50 | 8.50 |
| 4 Jonathan C. Day..... | Superintendent Labor Temple..... | Gives actual budgets. | 12.00 | 15.00 |
| 5 Charles E. Edwards..... | Editorial Assistant..... | Gives actual budgets. | 10.00 | 10.00 |
| 6 C. M. G. Gadyen..... | District Secretary of N. Y. C. O. S..... | Gives actual budgets. | 10.00 | 10.00 |
| 7 J. M. Hixon..... | Brooklyn Assn. for Improving Condition of Poor..... | Conferences of workers. | 10.00 | 10.00 |
| 8 Edna M. Klier..... | Assn. for Improving Condition of the Poor..... | Conferences of workers. | 8.00 | 7.00 |
| 9 George Sandy..... | Secretary of Madison House..... | Ten inquiries. | 6-7.00 | 7-8.00 |
| 10 Theo. J. Lilley..... | Brooklyn Bureau of Charities..... | Ten inquiries. | 9.00 | 9.00 |
| 11 Owen R. Lovejoy..... | National Child Labor Committee..... | Experiences among working people. | 12.00 | 18.00 |
| 12 Samuel M. Lowenstein..... | Hebrew Home, N. Y. City..... | Experiences among working people. | 8-9.00 | 10.00 |
| 13 Walter P. Macdonald..... | St. Michael's Church..... | Experiences among working people. | 10.00 | 10.00 |
| 14 Peter Roberts..... | Y. M. C. A..... | Estimates of a boy. | 15.00 | 10-15.00 |
| 15 Edith J. Swan..... | Teacher of Home Economics..... | Observation. | 810.00 | 9.00 |
| 16 Florence C. Wilkinson..... | Factory Inspector..... | Observation. | 12-15.00 | 18-20.00 |
| 17 Hugh Frayne..... | General Organizer, A. F. of L..... | Observation. | 15.00 | 18.00 |
| 18 Timothy Healy..... | International President Stationary Firemen..... | Careful budget for young man. | 10.00 | 18.00 |
| 19 A. J. Hoxman..... | Amalgamated Glazemakers I. A..... | Experience and observation. | 11.00 | 14.00 |
| 20 A. J. Scott..... | Sec. United Board of Business Agents of the Building Trades..... | Has lived in a settlement. | 14.00 | 17.00 |
| 21 Roswell W. Tompkins..... | Columbia Professor..... | Has lived in a settlement. | 9.50 | 12.50 |
| 22 E. E. Agger..... | Director Rand School of Social Science..... | Impressions. | 12.50 | 12.50 |
| 23 Algernon Lee..... | Writer..... | Impressions. | 7.50 | 11.25 |
| 24 Walter J. Lippman..... | Writer..... | Impressions. | 10.00 | 14.00 |
| 25 Walter E. Wey..... | Writer..... | Impressions. | 10.00 | 14.00 |
| 26 Geo. G. Badde..... | Business Man..... | Professional experience and social work. | 15.00 | 18.00 |
| 27 C. E. Gardiner..... | Business Man..... | Professional experience and social work. | 15.00 | 18.00 |
| 28 Fred L. Hoffman..... | Prudential Life Insurance Co..... | Figures by superintendent familiar with conditions in neighborhood of factory. | 8.00 | 9.00 |
| 29 W. J. MacFarlin..... | N. Y. Fraternal Medical Hospital..... | Figures by superintendent familiar with conditions in neighborhood of factory. | 7.40 | 12.00 |
| 30 W. J. MacFarlin..... | Prudential Life Insurance Co..... | Figures by superintendent familiar with conditions in neighborhood of factory. | 7.40 | 12.00 |
| 31 R. W. Walker..... | Assistant Secretary Efficiency Society..... | Information in files. | 12.00 | 20-25.00 |
| 32 R. W. Walker..... | Assistant Secretary Efficiency Society..... | Information in files. | 12.00 | 20-25.00 |
| Averages..... | | | 10.38 | 12.71 |
| Medians..... | | | 10.00 | 12.00 |

half, of the estimates were for sums of \$8 but less than \$11. For the man of eighteen years or more the lowest estimate was \$7 whereas the maximum suggested weekly cost of living was from \$20 to \$25. The average of the estimates was \$12.71 and the median exactly \$12. There was no such marked concentration of opinion in regard to the adult as there was in the case of the youth. Three estimated the cost of living at less than \$9 a week, four at from \$9 to \$9.99, four at from \$10 to \$10.99, one at \$11, five at from \$12 to \$12.99, and the rest of the estimates were distributed through the various sums ranging up to \$20. Thus, whereas there seems to be a substantial uniformity of opinion as to the youth, there is a decided variation with regard to the living expenses of the man.

Thirty-five estimates of the cost of living of men in the cities of the State other than New York were submitted. The lowest of these estimates for a youth was \$5.50 made by a Y. M. C. A. man in Schenectady, and the highest was from \$13 to \$15 made by a Y. M. C. A. secretary in Binghamton. The average of the up-state estimates of the cost of living for a youth was \$9.64 and the median was \$9.50. There was, in this case too, a marked concentration of opinion. Eight individuals fixed the cost of living at \$8 to \$8.99, seven at \$9 to \$9.99 and eight at \$10 to \$10.99. Thus twenty-three out of thirty-five estimates were for sums varying from \$8 to \$11. For the adult man the lowest estimate submitted was \$7.50 in Rochester and Canajoharie, and the highest was \$18 in Niagara Falls and in Albany. The average was \$11.51 and the median \$11.50. There is no point at which it can be said that there is a concentration of these estimates. Thus it appears that, as far as opinion of well informed people goes, the cost of living, when judged by the average, is approximately one dollar less in the cities up-state than in the Metropolis, and, when judged by the median, it is fifty cents less.

When there is such a wide variation of opinion as is exhibited by these replies to the questionnaire, it is impossible to formulate any very definite conclusions. It is, therefore, necessary to adopt some other method before a satisfactory solution of the problem of the living costs to the young man can be found.

TABLE XXX
ESTIMATES OF THE WEEKLY COST OF LIVING FOR MEN IN NEW YORK STATE OUTSIDE OF NEW YORK CITY

| | PLACE | Name | Profession | Basis of estimate | COST OF LIVING FOR MEN | |
|----|---------------|-------------------------|---|--|------------------------|------------|
| | | | | | Under 18 | 18 or over |
| 1 | Albany | A. person | International Hod Carriers | Personal experience | \$10.00 | \$18.00 |
| 2 | Albany | Wm. F. Reed | Secretary for Co-operation of Charities | Personal experience | 7.75 | 11.75 |
| 3 | Albany | Wm. C. Rogers | Second Deputy Commissioner of Labor | Personal experience | 8.00 | 11.00 |
| 4 | Albany | Carl Bergstrom | Paving Cutters' Union, Y. M. C. A. | Personal experience | 13-15 | 13-15 |
| 5 | Binghamton | A. D. Price | Educational Secretary, Y. M. C. A. | Personal experience | 9-10 | 9-10 |
| 6 | Buffalo | Frederick Almy | Secretary, Charity Organisation Society | Charity workers | 10.50 | 14.50 |
| 7 | Buffalo | Julia S. Ford | School St. Union | Charity workers | 12-15 | 15.00 |
| 8 | Buffalo | E. E. Herwing | School St. Union | Charity workers | 8.00 | 12.00 |
| 9 | Buffalo | Patrick E. Lyons | National Association Machine Printers | Charity workers | 8.00 | 12.00 |
| 10 | Buffalo | Elia. M. Burnham | Beech Nut Co. | Charity workers | 9-10 | 15.00 |
| 11 | Buffalo | Mary Coolidge | Associated Charities | Charity workers | 8.00 | 8.50 |
| 12 | Glens Falls | Mary O. Smith | State Charities Aid | Charity workers | 10-11 | 12.00 |
| 13 | Gloversville | Gladys Fisher | A. F. S. Organizer | Inquiry | 12.00 | 12.00 |
| 14 | Hudson | Albertus Nooncy | Associated Charities | Inquiry | 7.60 | 8.60 |
| 15 | Hudson | L. M. Hoag | American Federation of Labor | Inquiry | 8.00 | 12.00 |
| 16 | Ithaca | Chas. Hanstam | Y. W. C. A. | Inquiries of janitors, ministers, social workers, etc. | 12.00 | 15.00 |
| 17 | Massena | S. Louise Nelson | Associated Charities | Inquiries of janitors, ministers, social workers, etc. | 10.00 | 10.00 |
| 18 | Newburgh | Amy Woods | Associated Charities | Inquiries of janitors, ministers, social workers, etc. | 7-9 | 10.00 |
| 19 | Newburgh | Com. of Past Presidents | Trades and Labor Council | Inquiries | 15.00 | 18.00 |
| 20 | Niagara Falls | A Committee | Trades Assembly | Inquiries | 10.00 | 10.00 |
| 21 | Norwich | D. L. Latham | Trades and Labor Council | Inquiries | 10.00 | 10.00 |
| 22 | Ogdensburg | L. S. Graham | Thomas's Relief Corps Home | Carefully worked out | 11.25 | 12.50 |
| 23 | Oxford | L. S. Graham | Clothing Manufacturer | Carefully worked out | 8.00 | 12.00 |
| 24 | Patchogue | G. W. Goler | Health Officer | Carefully worked out | 10.00 | 12.00 |
| 25 | Rochester | Alberta Smith | United Charities | Carefully worked out | 5.50 | 9.50 |
| 26 | Rochester | L. N. Brasefield | Assistant Secretary, Y. M. C. A. | Carefully worked out | 9.00 | 15.00 |
| 27 | Schenectady | Wm. F. Barnard | Actuary | Carefully worked out | 9.00 | 12.00 |
| 28 | Syracuse | Thos. M. Gafney | Associated Charities | Carefully worked out | 8.00 | 12.00 |
| 29 | Syracuse | Almus Over | Laundry Workers | Carefully worked out | 10.00 | 12.00 |
| 30 | Troy | N. P. Carpenter | Gen'l Secretary, Associated Charities | Carefully worked out | 9.00 | 10.00 |
| 31 | Utica | M. G. Scoville | Y. W. C. A. | Carefully worked out | 9.00 | 10.00 |
| 32 | Averages | | | Consultation | \$9.64 | \$11.51 |
| 33 | Medians | | | Consultation | 9.50 | 11.50 |



A ROW OF FURNISHED-ROOM HOUSES.
North Side of Fourteenth Street, Near Eighth Avenue, New York City.

INTENTIONAL SECOND EXPOSURE

1616

APPENDIX VII — COST OF LIVING

TABLE XXX
ESTIMATES OF THE WEEKLY COST OF LIVING FOR MEN IN NEW YORK STATE OUTSIDE OF NEW YORK CITY

| Place | Name | Profession | Basis of estimate | COST OF LIVING FOR MEN | |
|------------------|-------------------------|---|--|------------------------|------------|
| | | | | Under 18 | 18 or over |
| 1 Albany | A. person | International Hod Carriers | Personal experience | \$10.00 | \$18.00 |
| 2 Albany | Mary J. Breed | Secretary for Co-operation of Charities | Personal experience | 7.75 | 7.75 |
| 3 Albany | Wm. C. Rogers | Second Deputy Commissioner of Labor | Personal experience | 11.00 | 11.00 |
| 4 Albany | Carl Bergstrom | Paving Cutters' Union, Y. M. C. A. | Personal experience | 6.00 | 8.00 |
| 5 Binghamton | A. D. Price | Educational Secretary, Y. M. C. A. | Personal experience | 13.15 | 13.15 |
| 6 Buffalo | Frederick Almy | Secretary, Charity Organization Society | Personal experience | 13.15 | 13.15 |
| 7 Buffalo | Paul H. Ford | School St. Francis | Personal experience | 10.50 | 14.50 |
| 8 Buffalo | Samuel H. Ford | School St. Francis | Personal experience | 12.15 | 15.00 |
| 9 Buffalo | Patrick E. Lyons | School St. Francis | Personal experience | 10.50 | 15.00 |
| 10 Canajoharie | Eliza M. Burnham | National Association Machine Printers | Personal experience | 8.00 | 7.50 |
| 11 Elmira | Mary Coolidge | Beech Nut Co. | Personal experience | 9.40 | 15.00 |
| 12 Glen Falls | Amy O. Smith | Associated Charities | Personal experience | 12.00 | 12.00 |
| 13 Gloversville | Edwys Fisher | State Charities Aid | Personal experience | 10.11 | 12.00 |
| 14 Hudson | Albert H. Wooley | A. F. S. Organizer | Inquiry | 7.69 | 8.65 |
| 15 Ithaca | O. L. Dean | Associated Charities | Personal experience | 8.00 | 12.00 |
| 16 Ithaca | L. M. Hoag | American Federation of Labor | Personal experience | 12.00 | 15.00 |
| 17 Newburgh | Chas. Hamster | Y. W. C. A. | Inquiries of janitors, ministers, social workers, etc. | 10.00 | 10.00 |
| 18 Newburgh | S. Louise Nelson | Associated Charities | Personal experience | 7-9 | 10.00 |
| 19 Newburgh | Amy Woods | Associated Charities | Personal experience | 15.00 | 18.00 |
| 20 Newburgh | Com. of Past Presidents | Trades and Labor Council | Personal experience | 10.00 | 10.00 |
| 21 Niagara Falls | A Committee | Trades and Labor Council | Personal experience | 10.00 | 10.00 |
| 22 Norwich | D. L. Latham | Trades and Labor Council | Personal experience | 10.00 | 10.00 |
| 23 Ogdensburg | J. S. Gahman | Trades and Labor Council | Personal experience | 10.00 | 10.00 |
| 24 Ogdensburg | L. S. Penman | Woman's Relief Corps Home | Personal experience | 11.25 | 13.50 |
| 25 Patchogue | Max Adler | Store | Carefully worked out | 8.00 | 7.50 |
| 26 Rochester | G. W. Goler | Clothing Manufacturer | Personal experience | 9.00 | 12.00 |
| 27 Rochester | Alberta Smith | Health Officer | Personal experience | 16.00 | 16.00 |
| 28 Rochester | L. N. Bassfield | United Charities | Five contributed budgets | 9.00 | 12.00 |
| 29 Schenectady | Wm. M. Bassfield | Assistant Secretary, Y. M. C. A. | Personal experience | 16.00 | 16.00 |
| 30 Syracuse | Thos. M. Gaffney | Actuary | Personal experience | 9.00 | 15.00 |
| 31 Syracuse | Almus Oliver | Associated Charities | Best judgment | 9.00 | 12.00 |
| 32 Troy | H. L. Mousar | Laundry Workers | Personal experience | 8.00 | 8.00 |
| 33 Troy | N. P. Carpenter | Gen'l Secretary, Associated Charities | Personal experience | 10.00 | 14.00 |
| 34 Utica | M. G. Scoville | Y. W. C. A. | Personal experience | 12.00 | 10.00 |
| 35 Utica | M. G. Scoville | Y. W. C. A. | Personal experience | 9.00 | 9.00 |
| Averages | | | | \$9.64 | \$11.51 |
| Median | | | | 9.50 | 11.50 |



A ROW OF FURNISHED-ROOM HOUSES.
North Side of Fourteenth Street, Near Eighth Avenue, New York City.

THE COST OF A ROOM

From the returns of the Commission's investigators, it was impossible to determine how much a young man would have to pay in order to secure a decent room. Therefore a newspaper, which is apparently the largest advertising medium for lodging-house keepers in New York City, was studied and a number of the cheapest rooms were visited. The results of this visitation showed that in the West Side from about Eleventh street to Twentieth street there were available a few rooms which could be had for \$2 a week. These rooms had a window opening outdoors, but not always very large, a single or three-quarter bed, a wash stand, a chair or two, a rug, and a curtain behind which clothes could be hung. The rooms seem livable but by no means luxurious; they afford hardly more than bare comfort. There were not many of these \$2 rooms, and their number was probably increased by the fact that the investigation was carried on in summer, when many young men try to find lodgings farther from their work, and when the lodging-house keepers consequently reduce prices. Not a single tolerable room renting for a price less than \$2 a week was discovered in the course of several days' work.

THE COST OF BOARD

The cost of accommodation in the boarding houses varies so much for men, as for women, that it was deemed impossible to determine food costs from an inspection of boarding houses. Therefore, the method of estimating on a basis of cost of production has been used. Supposing that the young man eats two fairly substantial meals in a boarding house on week days and three on Sundays, the cost of the raw food, according to the standard set by the Association for Improving the Condition of the Poor, would be about \$1.47. The value of service and preparation could not be less than fifty cents a week, even if the proprietor of the boarding house waits on the table, and at least fifty cents should be allowed for profit, making the total cost of board at a minimum commercial price of \$2.50 a week. In addition to this the young man would have his lunches to buy six days. The least he could be expected to spend would be fifteen

cents per day, or ninety cents a week. The minimum amount expended for food would therefore be \$3.50 per week.

CLOTHING

The clothing needed by a young man cannot be estimated from the returns given by the investigators. The following list is submitted as a wise distribution of expenditures for clothing in a year. It is a meagre schedule, as anyone acquainted with the clothing needs of young men will readily see, and yet it is presented in the belief that it is adequate for the demands of decency. This estimate of the necessary annual clothing expenditures of a young man living independently is \$75 a year. This sum is \$25 more than the expenditures which are considered necessary for the head of a family. The reason for this difference is that the mending of a family and the making of a few garments can be left to the housewife, whereas the independent man has no one to look after his clothing. Moreover, the single man must keep up a better appearance, he must move more among people than the husband, and for this reason he has been allowed two suits instead of one. Although it is not for a moment assumed that any individual would adopt exactly this as a prescribed list of clothing, it is held that the estimate is approximately correct. A clerk, who has to appear well, could expend the sum here apportioned to workshirts and overalls for linen or shoes.

| | |
|--|--------|
| Hats | \$2 50 |
| Overcoat, one-fourth of \$15. | 3 75 |
| Suits, two at \$15. | 30 00 |
| Shoes, two pair at \$3.50 and repairs. | 10 00 |
| Socks | 2 00 |
| Underclothing | 3 50 |
| Shirts, six at \$1. | 6 00 |
| Collars | 2 00 |
| Ties | 2 00 |
| Night shirts | 1 00 |
| Rubbers | 1 00 |
| Gloves | 1 50 |
| Umbrella | 1 00 |



A ROW OF FURNISHED-ROOM HOUSES.
North Side of Seventh Avenue, Fourteenth to Fifteenth Streets, New York City. Every house in this block advertises furnished rooms. This and the preceding photograph shows typical glimpses of the west side of New York, from Eleventh street to Twenty-second street. Splendid old residences have been given over to roomers. Many of the buildings are sadly decadent.

cents per day, or ninety cents a week. The minimum amount expended for food would therefore be \$3.50 per week.

CLOTHING

The clothing needed by a young man cannot be estimated from the returns given by the investigators. The following list is submitted as a wise distribution of expenditures for clothing in a year. It is a meagre schedule, as anyone acquainted with the clothing needs of young men will readily see, and yet it is presented in the belief that it is adequate for the demands of decency. This estimate of the necessary annual clothing expenditures of a young man living independently is \$75 a year. This sum is \$25 more than the expenditures which are considered necessary for the head of a family. The reason for this difference is that the mending of a family and the making of a few garments can be left to the housewife, whereas the independent man has no one to look after his clothing. Moreover, the single man must keep up a better appearance, he must move more among people than the husband, and for this reason he has been allowed two suits instead of one. Although it is not for a moment assumed that any individual would adopt exactly this as a prescribed list of clothing, it is held that the estimate is approximately correct. A clerk, who has to appear well, could expend the sum here apportioned to workshirts and overalls for linen or shoes.

| | |
|--|--------|
| Hats | \$2 50 |
| Overcoat, one-fourth of \$15. | 3 75 |
| Suits, two at \$15. | 30 00 |
| Shoes, two pair at \$3.50 and repairs. | 10 00 |
| Socks | 2 00 |
| Underclothing | 3 50 |
| Shirts, six at \$1. | 6 00 |
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| | |
|-----------------------|---------|
| Overalls | \$1 50 |
| Work shirts | 2 00 |
| Incidentals | 5 25 |
| | <hr/> |
| | \$75 00 |
| | <hr/> |

The expenditures for clothing must be supplemented by those for laundry. A study of the articles which would have to be sent to the laundry every week seems to indicate that forty cents is the minimum cost of having this work done, so an allowance of \$20.80 must be made for the year's laundry.

OTHER ITEMS OF EXPENDITURE

The young man should carry an insurance policy for the same reasons as should the young woman, and his annual budget should contain at least \$20 for this purpose. He usually lives so far from his work that he must have enough to pay his carfare, which would amount to at least \$31.20 in the course of the year. For health and incidental expenditures there seems to be no reason for giving the young man any more than the young woman, or \$26 a year. For recreation and amusement, however, the young man should be allowed more, probably \$52. The reason for assigning the young man more for recreation is that he frequently has the additional burden of entertaining a young lady or other friends.

SUMMARY

Putting together the various items above enumerated, it is found that the minimum sum on which a young man can live for a year is \$505.80. Nine dollars and seventy-five cents a week, then, seems to be the minimum amount which must be allowed to every young man living independently in New York City.

| | |
|--|----------|
| Room | \$104 00 |
| Board, fifty-two weeks at \$2.50 | 130 00 |
| Lunches | 46 80 |
| Clothing | 75 00 |
| Laundry | 20 80 |

| | |
|------------------------------------|----------|
| Insurance | \$20 00 |
| Carfares | 31 20 |
| Incidentals | 26 00 |
| Recreation and amusement | 52 00 |
| <hr/> | |
| Total | \$505 80 |
| Average per week | 9 73 |
| <hr/> | |

CONFIRMATION

In order to test this conclusion, a study was made of reports of personal interviews with men submitted by the Commission's agents. Ninety-six young men in New York City reported whether they were able to save or not. Twenty-six of these men earned less than \$8 a week, but only two of this group saved. Two of the ten who earned \$8 but less than \$9 a week were able to save; of the three who earned \$9 not one. Fourteen earned \$10 but less than \$11, and of them five were able to save. Six earned \$11 but less than \$12, and of these two reported savings. Of the thirty-seven who earned \$12 or more per week twenty-two were able to save. These facts seem to indicate that not until a wage of \$10 is reached could as many as one-third of the young men save any money and, therefore, they furnish a rough confirmation of the conclusion arrived at above, that the necessary cost of living is just under \$10 a week.

SAVINGS

It will be noticed that in the above estimate of the cost of living for men no allowance has been made for saving. The same reasons exist for desiring saving among young men as among women. Saving is necessary as a provision for the various emergencies that may overtake the individual — sickness, accident, and eventual old age. Saving is imperative as a provision against unemployment; and, as an aid in the formation of habits of thrift; saving is as essential for the young man as for the young woman. But there is a special reason why the young man should be able to accumulate money. In the normal course of events the man will marry, and at that time he should have a sum adequate



WHERE THE YOUNG MAN FEEDS AT NOON.

| | |
|------------------------------------|----------|
| Insurance | \$20 00 |
| Carfares | 31 20 |
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| <hr/> | |
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WHERE THE YOUNG MAN FEEDS AT NOON.

for the furnishing of a house. It is also especially desirable that he have a fund laid by for contingencies, as the emergencies affect not himself alone but his family as well. Therefore, although no such item has been included in the minimum cost of living, an allowance must be made for saving, if a living wage is in question.

ADDITIONAL CAUTION

It should also be remembered that the estimate above submitted is for the actual expenses of living. If the man is subject to periods of unemployment his wage while at work must be sufficient to tide him over periods of idleness.

THE LIVING WAGE IN OTHER CITIES

Data do not exist for the accurate estimate of the cost of living for a young man in the up-state cities. It may be recalled, however, that a girl can find a home for eighty cents less in Buffalo than in New York City.* Making approximately the same difference in the cost to the young man, the minimum cost of living for the man is probably about \$9 in Buffalo, with similar modifications in other communities.

CONCLUSION

The data presented above are not wide enough in their scope nor are they sufficiently exact in character to warrant assurance in the results; but it is safe to say that as far as information is at present attainable, the necessary cost of mere existence for a young man living independently is \$9.75 a week in New York City and \$9 a week in Buffalo.

* It should be remembered that the only variations in the cost of living in different cities seem to be in the cost of board and lodging.

PART III
COST OF LIVING FOR A NORMAL FAMILY

[1623]

COST OF LIVING FOR A NORMAL FAMILY

There has been an abundance of discussion, learned and diletant of the cost of living for a normal family. By the normal family is meant a household consisting of a father at work, a mother keeping the home, and three children none of whom are employed. It was shown in the study of the working woman of this State that, contrary to the belief of some social workers, the normal family actually does exist and is the type family; or, at least, it is a stage which is passed through in the history of the typical household. Some of the estimates of the cost of living for such a family are available for this study. The most notable and authoritative of these determinations was made in the year 1907 by a special committee appointed by the State Conference of Charities and Corrections. This able committee collected budgets from 391 families in New York city and from fifty-three households in nine other municipalities. After a careful study of these budgets the Committee submitted a report which set the cost of living for a normal family in New York City at approximately \$825.

The method pursued in arriving at this conclusion is well worth description. A study of the budgets revealed the fact that families having under \$700 a year were certainly unable to enjoy many of the things which are absolutely essential to efficient life. The household having an income of between seven and eight hundred dollars a year could subsist, provided there was no necessity for extraordinary expenditures, such as those occasioned by sickness, death, accident or other untoward circumstances; but, in any such emergency, it was very likely to have to ask for charity. The families in New York City having annual incomes of \$800 or more seemed to be able to maintain themselves independently and with a reasonable degree of decency.

The virtue of this study is that averages played no great role as a basis for inference. The conclusions were founded, rather, on observation of the mode of living of families in various income groups; and so there was achieved a combination of ideal standards with actual facts. This report on the cost of living in New York

City was supplemented the next year by the work of Mr. John R. Howard, of Buffalo, who in a similar manner estimated the cost of living in that city at approximately \$675. A survey of other attempts to determine the cost of living fails to disclose any that is based on sounder principles than these. Therefore, the conclusions in this report are very largely guided by the results of these two investigations.

ORIGINAL MATERIAL.

Since the investigations of this Commission in the factories did not furnish adequate data relative to the cost of living for families, it was necessary to undertake a special inquiry. The schedule was printed on cards. * This schedule called for information relative to the composition of the household and the earnings of its members; the food consumption for a week and the cost of such incidentals as ice and fuel; the activity of the members of the family in clubs or labor unions, and their methods of obtaining amusement; the health problem, if there was one; the care and condition of the home; and, finally, the wardrobe actually owned, and the cost of clothes purchased during a year.

In filling out these schedules the agents had to spend approximately half a day with each household. They were able to obtain very accurate data on certain subjects, but frequently found a woeful lack of knowledge of expenditures for other items. However, some experienced social workers located a number of families of more than the usual intelligence, and it was possible to secure, in numerous instances, fairly complete returns. No attempt to secure complete budgets was made. The investigation was carried on in the latter part of July and in August, 1914. It would be a fallacy to interpret the expenditures of these months as typical of the entire year. What was desired for this part of the investigation was the acquisition of a personal and intimate knowledge of the mode of living in workingmen's families. Ability to describe the actual stock of clothing, the precise condition of the home, the menus for a week, and the necessary supplies of such items as fuel and light was the goal. Through this

* The schedule is reproduced as part of appendix V below.



TRADING ON THE CURE.
Push-cart Market at First Avenue and Thirteenth Street, New York City.

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Push-cart Market at First Avenue and Thirteenth Street, New York City.

study, a great deal of specific information concerning the various items of family expenditure was obtained. The number of households covered, thirty-four in New York City, eighteen in Buffalo, and seventeen in Troy, was not large, but the work was so intensive that the results are trustworthy.*

Using, then, the results of this study of home life and the conclusions of former investigations, an estimate has been made of the cost of living to a normal family.

VARIATION OF FOOD PRICES IN NEW YORK STATE

The industrial families of this country have been found to expend from thirty-five to fifty per cent. of their incomes for sustenance alone, the proportion depending upon the amount of their earnings. Since food is such a large item in the budgets, a variation in prices from city to city would occasion a considerable difference in the cost of living. It became apparent, therefore, that special attention to the costs of foods was highly desirable. It was deemed wise to prepare a list of those commodities that form the major part of the diet of the working man. Copies of this list were sent to various people in the leading cities of the State with the request that they ascertain the prices of the articles. These price schedules were filled out in five municipalities — in Syracuse through the efforts of Mr. Almus Olver; in Buffalo by the co-operation of Mr. Frederic Almy; in Elmira through the aid of Mrs. Anna B. Pratt; and in New York City and Albany by the paid agents of the Commission. In each city six or seven lists were completed. These prices were obtained either in the last week of July or for the first day of August. Thus, the data were all gathered before the outbreak of the war in Europe. The stores which furnished these prices were located in different neighborhoods in each city. They were either large markets selling at low prices or small neighborhood stores where the working families traded, but they were not the so-called "cut rate" establishments. It is certain that the selection was such that the results are truly representative of the prices which laboring people were actually paying. The store keepers were accommodating, and helped materially in obtaining accurate information.

* In Appendix V will be found a reproduction of the schedules used and also a number of descriptions of typical families.

It was impossible, of course, to standardize all the goods on the list. For instance, it is difficult to compare the grades of the butter sold in different places, but in every case the quotation for creamery butter was adopted. "Strictly fresh" eggs were priced, although that word may have many different meanings. Prunes, for another example, are of various grades, but the quality chosen was that which the dealer sold to his working class customers. And so it can be said that, although the prices here presented may be for articles not exactly similar throughout the State, they are, nevertheless, valid for purposes of comparison; they represent the purchases of the same class of customers. It should be noted that the filling out of seven lists for each city meant that at least twice as many, and frequently three times as many, stores had to furnish the information; it was occasionally necessary to visit the grocer, the green grocer, the butcher, and the fish man in order to obtain complete quotations.

Twenty-nine different foods for which the returns were complete are used in the final comparisons. In Table XXXI the first column gives the name of the article of food; the second column gives the unit in which that article is measured. For instance, chopped beef is measured by the pound, eggs by the dozen, milk by the quart. The third, fourth, fifth, sixth, and seventh columns show the prices of these foods in the different cities: New York (Manhattan Borough), Buffalo, Syracuse, Elmira, and Albany. For instance, a pound of bacon sold for an average of 24.8 cents in New York, 22.7 cents in Buffalo, and 21.3 cents in Syracuse.

Now it is obvious that, with such a list of prices, no direct comparison can be made between general food costs in the selected cities, for to average the prices of a gallon of molasses, a pound of sugar, and a dozen bananas is an absurdity. There must, therefore, be adopted a method for reducing these prices to a basis which will allow of comparison. The person who is familiar with the construction of index numbers will recognize that the task is frequently performed and is very simple. For instance, bacon sold in Buffalo for 91.5 per cent. of its price in New York, and in Syracuse for 85.9 per cent. of the New York quotation. All the

prices have thus been reduced to a percentage basis, and the "relative prices," as they may be called, have been recorded in columns VIII to XII of the table. If these relative prices are averaged just as they appear in the table it develops that prices in Buffalo are 87 per cent. of those in New York City. On the same basis the prices in Syracuse are 92.1 per cent., those in Elmira 100.6 per cent., and those in Albany 105.3 per cent. Or, dropping the per cents., it may be said that if relative prices in New York are 100, relative prices are 87 in Buffalo, 92.1 in Syracuse, 100.6 in Elmira, and 105.3 in Albany. The result, showing food prices in Elmira and in Albany higher than in New York City, is so surprising that one would suspect some flaw in this method of averaging.

The fault lies in the fact that the simple or "unweighted" averages thus found do not take account of the *relative importance* of the different articles. For instance, bananas are rated as having the same importance as milk, and to weak-fish is attributed the same consequence as to flour. There is a well-established method of avoiding the mistakes arising from this failure to recognize the relative importance of different commodities. Take, for example, the Buffalo relative prices of four specific articles:

| | |
|--------------------|-------|
| Bacon | 91.5 |
| Cod-fish | 109.6 |
| Cheese | 95.2 |
| Bananas | 112.8 |

$$409.1 \div 4 = 102.3$$

If these relative prices are considered, it appears that the average is 102.3, or, in other words, that in Buffalo these four articles would cost 2.3 per cent more than in New York. Now, suppose that three times as much money is spent for cheese as for bananas, that twice as much is spent for cod-fish as for bananas, and that ten times as much is spent for bacon as for bananas. In that case, each of these commodities can be rated according to its importance by multiplying its relative price by a number representing its importance, a number representing the comparative amount of money

spent on that article. This operation is performed for the four commodities in question as follows:

| ARTICLE | Relative price | Importance or "weight"* | Product |
|---------------|----------------|-------------------------|---------------------|
| Bacon..... | 91.5 | 10 | 915 |
| Cod-fish..... | 109.6 | 2 | 219.2 |
| Cheese..... | 95.2 | 3 | 285.6 |
| Bananas..... | 112.8 | 1 | 112.8 |
| | | 16 | 1,532.6 ÷ 16 = 95.8 |

The total in the fourth column should be divided by the sum of the numbers representing importance, in other words, by sixteen, the sum of the "weights," which gives the result 95.8. That is, if the articles are considered with respect to their importance, the prices in Buffalo for these four things are 95.8 per cent. of the prices in New York.*

To determine the actual ratios of prices in these five New York cities it is necessary to find the proper importances or the weights of the different articles considered. In 1901 the Federal Bureau of Labor secured budgets from over 2,500 families in the United States. Fourteen hundred fifteen of these families live in the North Atlantic division. The total consumption of food by these families was divided among the several classes as follows:

| | |
|--------------------------|-------|
| Fresh beef | 1,605 |
| Salt beef | 242 |
| Fresh hog products | 379 |
| Salt hog products | 361 |
| Other meat | 363† |
| Poultry | 301† |
| Fish | 298 |
| Eggs | 545 |
| Milk | 718 |
| Butter | 881 |
| Cheese | 75 |
| Lard | 241 |
| Tea | 187† |
| Coffee | 287† |

* Of course these weights or relative importances have been assumed merely for the purposes of illustration.

† The foods or classes of foods designated by the dagger are not included in Table XXXI. Hence the sum of the weights is 10,000 minus 2,244 (the sum of the designated weight) or 7,756.

| | |
|---------------------------------------|--------|
| Sugar | 493 |
| Molasses | 45 |
| Flour and meal | 480 |
| Bread | 456* |
| Rice | 57 |
| Potatoes | 407 |
| Other vegetables | 476 |
| Fruit | 453 |
| Vinegar, pickles and condiments | 120* |
| Other food | 530* |
| Total | 10,000 |

Out of every \$100 expended for food, \$16.05 was spent for fresh beef, \$2.42 for salt beef, and \$5.45 for eggs. The weights thus found by the Bureau of Labor have been used by it in the calculation of the official index numbers of retail food prices ever since; and they have been adopted in this report on the relative prices for the different cities in the State of New York.

In arriving at the final average, one step was taken which must be described. The weight found by the Bureau of Labor was for "fresh beef." Quotations were obtained for four different kinds of fresh beef: chopped, chuck, flank, and rump. These four kinds of fresh beef were considered as of equal importance and the relative prices were averaged for each city. The same thing was done with the four kinds of fresh vegetables included in the tabulation.

So, multiplying the relative price of each article by its weight, adding the products, and dividing the result by the sum of the weights, the final average of prices was obtained, namely, New York 100, Buffalo 86.6, Syracuse 90.8, Elmira 97, and Albany 99.8. It is believed that these relative prices actually indicate the difference in the cost of food in the five cities mentioned.†

* The foods or classes of foods designated by the asterisk are not included in Table XXXI. Hence the sum of the weights is 10,000 minus 2,244 (the sum of the designated weight) or 7,756.

† There are one or two points at which the process of obtaining these relative prices might be criticised, namely, in the choice of certain foods. The weight of a dozen bananas is such a variable quantity, the size of a head of cabbage is so inconstant, the content of a dozen oranges is so problematical, that it may be thought that these articles should have been left entirely out of the calculation. On the other hand, it should be noted that the combined weights of these three food stuffs amount to 345 out of 7,756 and so variations in the size of a unit in the different cities would have very little effect on the final outcome of the process.

TABLE XXXI
FOOD PRICES IN NEW YORK, BUFFALO, SYRACUSE, ELMIRA, AND ALBANY, ABOUT AUGUST 1, 1914

| I | | II | III | IV | AVERAGE PRICES (DOLLARS) | | | | | VIII | RELATIVE PRICES (NEW YORK=100) | | | | | XIII |
|---------|----------------------------|--------|--------------------------|---------|--------------------------|--------|--------|--------------------------|---------|----------|--------------------------------|--------|----|-----|--------|------|
| | | Unit | | | V | VI | VII | | | | IX | X | XI | XII | Weight | |
| ARTICLE | | | New York, Man- hattan | Buffalo | Syracuse | Elmira | Albany | New York, Man- hattan | Buffalo | Syracuse | Elmira | Albany | | | | |
| 1 | Fresh beef: | | | | | | | | | | | | | | | |
| 2 | Chopped..... | Pound | .208 | .157 | .140 | .193 | .222 | 100.0 | 75.5 | 67.3 | 92.7 | 106.6 | | | | |
| 3 | Flank..... | Pound | .186 | .142 | .128 | .184 | .203 | 100.0 | 90.0 | 102.2 | 107.8 | 112.8 | | | | |
| 4 | Rump..... | Pound | .213 | .158 | .208 | .203 | .202 | 100.0 | 74.1 | 105.3 | 113.2 | 104.2 | | | | |
| 5 | All fresh beef..... | | | | | | | 100.0 | 78.9 | 93.1 | 102.3 | 104.6 | | | 1,605 | |
| 6 | Salt beef..... | Pound | .184 | .150 | .112 | .171 | .108 | 100.0 | 81.5 | 60.9 | 92.9 | 58.7 | | | 379 | |
| 7 | Fresh hog; roast pork..... | Pound | .209 | .204 | .184 | .211 | .205 | 100.0 | 102.0 | 92.0 | 105.5 | 102.5 | | | 242 | |
| 8 | Preserved hog: | | | | | | | | | | | | | | | |
| 9 | Bacon..... | Pound | .248 | .227 | .213 | .237 | .260 | 100.0 | 91.5 | 85.9 | 95.6 | 104.8 | | | | |
| 10 | Salt pork..... | Pound | .196 | .174 | .144 | .177 | .186 | 100.0 | 88.8 | 73.5 | 90.3 | 94.9 | | | | |
| 11 | All preserved hog..... | | | | | | | 100.0 | 90.2 | 79.7 | 92.9 | 96.9 | | | 36.1 | |
| 12 | Fish: | | | | | | | | | | | | | | | |
| 13 | Codfish..... | Pound | .115 | .126 | .145 | .152 | .108 | 100.0 | 109.6 | 126.1 | 132.2 | 93.9 | | | | |
| 14 | Weakfish..... | Pound | .163 | .120 | .100 | .148 | .132 | 100.0 | 116.5 | 97.1 | 143.7 | 128.2 | | | | |
| 15 | All fish..... | | | | | | | 100.0 | 113.1 | 111.6 | 138.0 | 111.1 | | | 298 | |
| 16 | Eggs..... | Dosen | .343 | .248 | .270 | .276 | .286 | 100.0 | 72.3 | 78.7 | 80.5 | 83.4 | | | 545 | |
| 17 | Milk..... | Quart | .090 | .077 | .087 | .097 | .097 | 100.0 | 53.3 | 96.7 | 77.8 | 84.4 | | | 718 | |
| 18 | Butter..... | Pound | .341 | .335 | .311 | .313 | .340 | 100.0 | 95.2 | 81.5 | 87.6 | 95.8 | | | 891 | |
| 19 | Cheese..... | Pound | .223 | .222 | .190 | .204 | .222 | 100.0 | 95.2 | 80.1 | 100.0 | 99.4 | | | 241 | |
| 20 | Lard..... | Pound | .160 | .130 | .129 | .160 | .159 | 100.0 | 94.4 | 92.6 | 101.8 | 98.1 | | | 463 | |
| 21 | Sugar..... | 16 | .054 | .051 | .050 | .055 | .053 | 100.0 | 52.2 | 90.6 | 63.5 | 96.7 | | | 45 | |
| 22 | Flour..... | Gallon | .680 | .380 | .625 | .507 | .667 | 100.0 | 76.9 | 74.4 | 84.6 | 87.1 | | | 493 | |
| 23 | Flour, medium..... | Pound | .637 | .330 | .539 | .533 | .634 | 100.0 | 64.6 | 63.8 | 64.6 | 85.4 |  |  | ..... |  |
| 24 | Corn meal..... | | | | | | | 100.0 | 72.8 | 72.5 | 77.9 | 86.5 | | | 480 | |
| 25 | Flour and meal..... | | | | | | | 100.0 | 106.5 | 97.4 | 114.3 | 124.7 | | | 57 | |
| 26 | Rice..... | Pound | .977 | .082 | .075 | .088 | .096 | 100.0 | 88.7 | 100.3 | 98.6 | 103.2 | | | 407 | |
| 27 | Potatoes..... | Peck | .345 | .306 | .340 | .340 | .356 | 100.0 | 88.7 | 100.3 | 98.6 | 103.2 |  |  | ..... |  |

| | | | | | | | | | | | | |
|----|-------------------------------|------|------|------|------|------|---------|---------|---------|---------|---------|-------|
| 22 | Fruits: | | | | | | | | | | | |
| 23 | Bananas..... | .133 | .150 | .157 | .169 | .207 | 100.0 | 112.8 | 118.0 | 127.1 | 155.6 | ..... |
| 24 | Oranges..... | .320 | .240 | .277 | .286 | .414 | 100.0 | 75.0 | 86.6 | 89.4 | 129.4 | ..... |
| 25 | Dried apricots..... | .210 | .168 | .164 | .187 | .198 | 100.0 | 80.0 | 78.1 | 89.0 | 102.8 | ..... |
| 26 | Prunes..... | .141 | .120 | .088 | .112 | .145 | 100.0 | 86.1 | 62.4 | 79.4 | 102.8 | ..... |
| 27 | All fruit..... | | | | | | 100.0 | 88.2 | 86.3 | 96.2 | 120.5 | 453 |
| 28 | Other vegetables: | | | | | | | | | | | |
| 29 | Beans, dried..... | .062 | .058 | .057 | .057 | .076 | 100.0 | 93.6 | 91.9 | 91.9 | 122.6 | ..... |
| 30 | Split peas..... | .071 | .051 | .069 | .080 | .107 | 100.0 | 71.8 | 97.2 | 112.7 | 150.7 | ..... |
| 31 | Cabbage..... | .051 | .050 | .058 | .077 | .069 | 100.0 | 98.0 | 133.1 | 132.8 | 103.4 | ..... |
| 32 | Onion..... | .056 | .050 | .051 | .080 | .059 | 100.0 | 88.2 | 116.3 | 124.6 | 128.5 | 476 |
| 33 | All vegetables..... | | | | | | 100.0 | 88.2 | 116.3 | 124.6 | 128.5 | ..... |
| 34 | Totals..... | | | | | | 2,900.0 | 2,523.9 | 2,670.6 | 2,917.7 | 3,055.0 | 7,796 |
| 35 | Average relative prices..... | | | | | | 100.0 | 87.0 | 92.1 | 100.6 | 105.3 | ..... |
| 36 | Weighted relative prices..... | | | | | | 100.0 | 86.6 | 90.3 | 97.0 | 99.8 | ..... |

Confidence in the results of this tabulation is increased by their substantial agreement with the results obtained by the Federal Bureau of Labor Statistics. The figures of the Bureau for prices in New York City and in Buffalo for the year 1913 were averaged by the exact method in use by that body in calculating its index number for retail food prices. It was found that if New York prices were 100 Buffalo prices were 89.2. The Commission's prices include a wider variety of foods; they were recorded about a year later; and they cover a month rather than a year. While it is not surprising to find that a difference does exist their approximation to the Bureau's results points to accuracy in both calculations. The work on prices, therefore, leads to the conclusion that food costs in Elmira and in Albany just about the same as in New York City, but that in Syracuse food may be had nine per cent. cheaper, and in Buffalo thirteen per cent. cheaper than in the Metropolis.

CHECK ON CALCULATION.

In order to test the validity of these compilations or relative prices, resort was had to a favorite scheme of some investigators, namely, the filling out of a bill of goods. The bills selected were chosen with great care. Miss Gibbs, of the New York Association for Improving the Condition of the Poor, furnished two model dietaries for a week's supply of food for a normal family; and Professor Rose, of Columbia University, contributed some daily dietaries prepared by the students in the Department of Domestic Science of Teachers College. Two of the best of these dietaries were selected. It was impossible to obtain from each city prices for all the foods on these lists. Some of the missing figures were filled in by using the average for the cities where quotations could be obtained. For instance, in Weekly Dietary No. 1, it will be seen that the quotation for oleomargarine in New York and in Albany is marked with a small "*." That "*" signifies that the stores visited in these two cities did not carry oleomargarine and the price, twenty-two cents, is the average of the prices charged in the three other cities. Similarly gelatine on Weekly Dietary No. 1 is put down as ten cents for a two-ounce package in each of the cities. This is a standard price. In the same way,

bread was priced arbitrarily on all the dietaries, because the agents did not weigh the different loaves and because stale bread was not carried in a good many places. The prices which were thus supplied in the dietaries do not affect the accuracy of the results, because the articles thus treated are of very small importance in proportion to the whole, and because to assume a practical uniform price, or to take the average in the cities for which quotations were available makes the variation from the true rate a matter of only a few cents.*

WEEKLY DIETARY NO. 1
COMPARATIVE COST IN FIVE CITIES

| I | | II | III | IV | V | VI | VII |
|-----------|---------------------------|----------|----------------------------|---------|----------|--------|--------|
| COMMODITY | | Amount | COST ON AUGUST 1, 1914, IN | | | | |
| | | | New York | Buffalo | Syracuse | Elmira | Albany |
| 1 | Milk..... | 14 qts. | \$1.26 | \$.05 | \$1.22 | \$0.98 | \$1.06 |
| 2 | Bread, stale..... | 16 lbs. | \$.30 | \$.30 | \$.30 | \$.30 | \$.30 |
| 3 | Oatmeal..... | 3 lbs. | .19 | .18 | .19 | .19 | .14 |
| 4 | Cornmeal..... | 3 lbs. | .15 | .09 | .10 | .09 | .12 |
| 5 | Oleomargarine..... | 1 lb. | †.22 | .22 | .25 | .20 | †.22 |
| 6 | Granulated sugar..... | 3½ lbs. | .19 | .18 | .18 | .18 | .18 |
| 7 | Rice..... | 1 lb. | .08 | .08 | .08 | .09 | .10 |
| 8 | Eggs..... | 1 doz. | .34 | .25 | .27 | .28 | .29 |
| 9 | Beans, dried..... | 1 lb. | .06 | .06 | .06 | .06 | .08 |
| 10 | Lima beans, dried..... | 1 lb. | .09 | .09 | .09 | .09 | .13 |
| 11 | Macaroni..... | ½ lb. | .09 | .07 | .07 | .08 | .11 |
| 12 | American cheese..... | 1 lb. | .23 | .22 | .19 | .20 | .22 |
| 13 | Prunes..... | 2 lbs. | .28 | .24 | .18 | .22 | .30 |
| 14 | Dates..... | 1 lb. | .17 | .08 | †.12 | .10 | .12 |
| 15 | Potatoes..... | 7½ lbs. | .17 | .15 | .17 | .17 | .18 |
| 16 | Apples..... | 6 lbs. | .22 | .12 | .20 | .21 | .22 |
| 17 | Onions..... | 5 lbs. | .28 | .25 | .45 | .40 | .50 |
| 18 | Bananas..... | 1 doz. } | .13 | .15 | .16 | .17 | .11 |
| | | 6 lb. } | | | | | |
| 19 | Cabbage..... | 1 head } | .05 | .05 | .06 | .08 | .17 |
| | | 4 lbs. } | | | | | |
| 20 | Apricots, dried..... | 1 lb. | .21 | .17 | .16 | .19 | .20 |
| 21 | Gelatin..... | 2 oz. | †.10 | †.10 | †.10 | †.10 | †.10 |
| 22 | Weakfish..... | 2 lbs. | .20 | .24 | .20 | .30 | .26 |
| 23 | Beef suet..... | 1 lb. | †.12 | †.12 | †.12 | †.12 | †.12 |
| 24 | Flank steak..... | 3 lbs. | .57 | .43 | .60 | .65 | .60 |
| 25 | Bacon ends..... | 2 lbs. | .36 | .18 | .28 | .42 | †.32 |
| 26 | Chopped beef..... | 2 lbs. | .40 | .32 | .28 | .38 | .44 |
| 27 | Breast mutton..... | 3 lbs. | .27 | .33 | .30 | .45 | .42 |
| 28 | Beef heart..... | 2 lbs. | .22 | .16 | .18 | .24 | .20 |
| 29 | Junket tablets..... | 2 lbs. | .02 | .02 | .02 | .02 | .02 |
| 30 | Cocoa..... | ½ lb. | .18 | .13 | .10 | .13 | .19 |
| 31 | Cocoa shells..... | 1 lb. | †.10 | .10 | †.10 | †.10 | †.10 |
| 32 | Total cost..... | | \$7.25 | \$6.13 | \$6.78 | \$7.19 | \$7.32 |
| 33 | Relative cost..... | | 100.0 | 84.6 | 93.6 | 99.1 | 101.0 |
| 34 | Cost per man per day..... | | \$0.30 | \$0.25 | \$0.28 | \$0.29 | \$0.30 |

* Prices thus filled in are marked "†."

† No quotations secured—average price in other cities used.

‡ No quotations that are trustworthy, price assumed.

Examining the results of this compilation, we see that the preceding conclusions are very strongly confirmed. There are slight variations from the results of Table XXXI, but the closeness of the resemblances, especially in the weekly dietaries, is remarkable.

The conclusion, then, of this study of prices is that in Elmira and in Albany approximately the same amounts have to be expended for food as in New York City. In Syracuse food costs a little less than in the Metropolis, and in Buffalo between one-tenth and one-seventh less.

WEEKLY DIETARY NO. 2
COMPARATIVE COST IN FIVE CITIES

| I COMMODITY | II Amount | COST ON AUGUST 1, 1914, IN | | | | |
|------------------------------|--------------|----------------------------|---------|----------|--------|--------|
| | | New York | Buffalo | Syracuse | Elmira | Albany |
| 1 Milk..... | 14 qts. | \$1.26 | \$1.05 | \$1.22 | \$0.98 | \$1.06 |
| 2 Bread..... | 10 loaves | †.50 | †.50 | †.50 | †.50 | †.50 |
| 3 Cereal (oatmeal)..... | 2 lbs. | .12 | .12 | .13 | .12 | .09 |
| 4 Sugar..... | 3½ lbs. | .19 | .18 | .18 | .18 | .18 |
| 5 Butterine..... | 1 lb. | .25 | .21 | .21 | .20 | *.22 |
| 6 Cocoa..... | ¼ lb. | .18 | .13 | .10 | .13 | .19 |
| 7 Eggs..... | 1 doz. | .34 | .25 | .27 | .28 | .29 |
| 8 Chuck steak..... | 2 lbs. | .36 | .32 | .37 | .39 | .41 |
| 9 Bacon..... | ¼ lb. | .13 | .12 | .11 | .12 | .13 |
| 10 Codfish..... | 1 lb. | .12 | .13 | .15 | .15 | .11 |
| 11 Rice..... | 1 lb. | .08 | .08 | .08 | .09 | .10 |
| 12 Cheese..... | 1 lb. | .23 | .22 | .19 | .20 | .22 |
| 13 Macaroni..... | 1 lb. | .09 | .07 | .07 | .08 | .11 |
| 14 Jelly..... | ½ pint | .10 | .10 | .10 | .10 | .10 |
| 15 Beans (dried)..... | 2 lbs. | .12 | .12 | .11 | .11 | .15 |
| 16 Tapioca..... | ¼ lb. | .05 | .04 | .04 | .04 | .05 |
| 17 Molasses..... | 1 pint | .09 | .05 | .08 | .07 | .09 |
| 18 Raisins..... | ¼ lb. | .06 | .05 | .05 | .06 | .06 |
| 19 Cabbage..... | 1 head | .05 | .05 | .06 | .08 | .07 |
| 20 Onions..... | 3 lbs. | .22 | .20 | .36 | .32 | .24 |
| 21 Potatoes..... | 4 lbs. | .23 | .20 | .23 | .23 | .24 |
| 22 Spinach..... | 10 lbs. | †.06 | †.06 | †.06 | †.06 | †.06 |
| 23 Apples..... | 1 lb. | .37 | .20 | .33 | .35 | .37 |
| 24 Carrots..... | 10 lbs. | .37 | .20 | .33 | .35 | .37 |
| 25 Condensed milk..... | 4 bunches | .11 | .09 | .10 | .20 | .12 |
| 26 Canned tomatoes..... | ¼ lb. | †.05 | †.05 | †.05 | †.05 | †.05 |
| 27 Dried apples..... | 1 pint | .08 | .08 | .08 | .08 | .08 |
| 28 Barley..... | 1 lb. | .15 | .11 | .13 | .13 | .12 |
| 29 Tea..... | ¼ lb. | †.05 | †.05 | †.05 | †.05 | †.05 |
| 30 Coffee..... | ¼ lb. | .12 | .12 | .10 | .14 | .14 |
| | | .15 | .13 | .15 | .16 | .18 |
| 31 Total cost..... | | \$5.91 | \$5.08 | \$5.66 | \$5.65 | \$5.78 |
| 32 Relative cost..... | | 100.0 | 86.0 | 95.8 | 95.6 | 97.8 |
| 33 Cost per man per day..... | | \$0.28 | \$0.24 | \$0.27 | \$0.27 | \$0.28 |

* No quotations secured—average price in other cities used.
† No quotations that are trustworthy, price assumed.

DAILY DIETARY No. 1
COMPARATIVE COST IN FIVE CITIES

| I COMMODITY | II Amount | COST ON AUGUST 1, 1914, IN | | | | |
|------------------------------|--------------|----------------------------|---------|----------|--------|--------|
| | | New York | Buffalo | Syracuse | Elmira | Albany |
| 1 Milk..... | 3 qts. | \$0.27 | \$0.22 | \$0.26 | \$0.21 | \$0.23 |
| 2 Bread, stale..... | 2 loaves | †.05 | †.05 | †.05 | †.05 | †.05 |
| 3 Butterine..... | 1 lb. | .25 | .21 | .21 | .20 | *.22 |
| 4 Bananas..... | 5 | .06 | .06 | .07 | .08 | .09 |
| 5 Oatmeal..... | 1 lb. 3 oz. | .08 | .08 | .08 | .08 | .05 |
| 6 Sugar..... | 1 lb. | .05 | .05 | .05 | .06 | .05 |
| 7 Carrots..... | 1 lb. | .03 | .02 | .03 | .05 | .03 |
| 8 Potatoes..... | 1 lb. | .02 | .02 | .02 | .02 | .02 |
| 9 Meat (chuck)..... | 1 lb. | .18 | .16 | .18 | .19 | .20 |
| 10 Rice..... | 1 lb. | .08 | .08 | .08 | .09 | .10 |
| 11 Raisins..... | 1 lb. | .12 | .11 | .10 | .11 | .12 |
| 12 Onions..... | 2 lbs. | .11 | .10 | .18 | .16 | .12 |
| 13 Eggs..... | 2 lbs. | .06 | .04 | .05 | .05 | .05 |
| 14 Codfish..... | 1 lb. | .12 | .13 | .15 | .15 | .11 |
| 15 Tomatoes..... | 1 can | †.10 | †.10 | †.10 | †.10 | †.10 |
| 16 Macaroni..... | 1 lb. | .09 | .07 | .07 | .08 | .11 |
| 17 Cheese..... | ¼ lb. | .06 | .06 | .05 | .05 | .06 |
| 18 Flour..... | 1 lb. | .04 | .03 | .03 | .03 | .03 |
| 19 Coffee..... | 1 oz. | .02 | .02 | .02 | .02 | .02 |
| 20 Tea..... | 1 oz. | .03 | .03 | .02 | .03 | .03 |
| 21 Totals..... | | \$1.82 | \$1.64 | \$1.80 | \$1.81 | \$1.79 |
| 22 Relative totals..... | | 100.0 | 90.3 | 99.0 | 99.5 | 98.4 |
| 23 Cost per man per day..... | | \$0.52 | \$0.47 | \$0.51 | \$0.52 | \$0.51 |

* No quotations secured—average price in other cities used.
† No quotations that are trustworthy, price assumed.

DAILY DIETARY No. 2
COMPARATIVE COST OF FIVE CITIES

| I COMMODITY | II Amount | COST ON AUGUST 1, 1914, IN | | | | |
|------------------------------|--------------|----------------------------|---------|----------|--------|--------|
| | | New York | Buffalo | Syracuse | Elmira | Albany |
| 1 Milk..... | 3 qts. | \$0.27 | \$0.22 | \$0.26 | \$0.21 | \$0.23 |
| 2 Hominy..... | 10 oz. | .03 | .04 | .03 | .03 | .03 |
| 3 Coffee..... | 1 oz. | .02 | .02 | .02 | .02 | .02 |
| 4 Cocoa Shells..... | 1 cup | .02 | .02 | .02 | .02 | .02 |
| 5 Sugar..... | 7 oz. | .02 | .02 | .02 | .02 | .02 |
| 6 Oleomargarine..... | 6 oz. | *.08 | .08 | .09 | .07 | *.08 |
| 7 Lamb (stew)..... | 1½ lbs. | .19 | .20 | .15 | .23 | .18 |
| 8 Onions..... | 6 oz. | .02 | .02 | .03 | .03 | .02 |
| 9 Parsley..... | Bunch | .02 | .03 | .05 | .05 | *.04 |
| 10 Turnip..... | 1 | .03 | .02 | .03 | .03 | .03 |
| 11 Potatoes..... | 1 lb. | .02 | .02 | .02 | .02 | .02 |
| 12 Split peas..... | 5 oz. | .02 | .02 | .02 | .03 | .03 |
| 13 Bananas..... | 3 | .03 | .04 | .04 | .04 | .05 |
| 14 Figs (dried)..... | ¼ lb. | *.10 | .10 | .11 | .10 | .08 |
| 15 Macaroni..... | ¼ lb. | .05 | .04 | .04 | .04 | .06 |
| 16 Bread..... | 3 lbs. | †.15 | †.15 | †.15 | †.15 | †.15 |
| 17 Flour..... | 1 lb. | .04 | .03 | .03 | .03 | .03 |
| 18 Carrots..... | 6 oz. | .01 | .01 | .01 | .02 | .01 |
| 19 Oranges..... | 3 oz. | .08 | .06 | .07 | .07 | .10 |
| 20 Totals..... | | \$1.18 | \$1.12 | \$1.17 | \$1.19 | \$1.18 |
| 21 Relative totals..... | | 100.0 | 94.1 | 99.2 | 100.8 | 100.0 |
| 22 Cost per man per day..... | | \$0.34 | \$0.34 | \$0.33 | \$0.32 | \$0.34 |

* No quotations secured—average price in other cities used.
† No quotations that are trustworthy, price assumed.

NUTRITION STANDARDS.

When an attempt is made to determine how much it costs to feed a family it is necessary to adopt some standard of adequate nutrition. Physiological chemists have experimented on human beings for a long time with a view of discovering what are the food requirements of people in various walks of life and at different ages. Authorities are not yet agreed as to what standards should be adopted. For this reason it seems wise to accept those criteria which have found recognition in the works on food from a social viewpoint, namely, the standards of Professor Atwater. If a man at moderate physical labor needs a certain amount of food, a woman doing such light work as housekeeping requires approximately eight-tenths as much, a boy of sixteen years or more, nine-tenths as much, a child under two, three-tenths as much. That is, if the needs of the man are 1, those of the woman are 0.8 and those of the child under two, 0.3. The complete scale of food requirements, starting with a man at moderate physical labor, is as follows:

| | | | |
|---------------------------|----|--------------------------------|----|
| Man | 1. | Girl (14 to 15) | .7 |
| Woman | .8 | Girl (10 to 14) | .6 |
| Boy (16) | .9 | Child (6 to 9 incl.) | .5 |
| Boy (12 to 16) | .8 | Child (2 to 5 incl.) | .4 |
| Boy (10 to 12) | .6 | Child (under 2) | .3 |
| Girl (15 to 16) | .8 | | |

The food required by man is of three sorts. First, the nitrogenous or protein substances contain elements without which the body cannot be built up, without which destroyed tissues cannot be replaced. Proteins are, therefore, absolutely essential to human life. Just how much protein food is needed is a matter that has long been in dispute. There is no sufficient reason for departing from the usually accepted standard, namely, that a man of approximately average weight requires about 125 grams of protein per day although individuals may thrive on less if their food is properly masticated.

The two other kinds of food which are absolutely essential are the carbo-hydrates and the fats. The principle function of these classes of food is the furnishing of energy to heat and to run the body machine. A man generally needs enough food to furnish 3,500 calories per day. In other words, a man at moderate labor must have enough protein substance to furnish him with the proper amount of body-building material plus an addition of carbo-hydrates and fats to give him energy for his work.

The translation of these chemical and physical food standards into terms of money has been a matter of great interest to social students. It will be recalled that in 1907, under the auspices of the New York State Conference of Charities and Corrections, a study of the standard of living was made in New York City. One hundred actual food budgets were sent to Professor Frank P. Underhill, of the Sheffield Laboratory of Physiological Chemistry, Yale University. After studying these budgets, Professor Underhill found that, unless an average of twenty-two cents per man was daily expended for food, the nutrition of a family usually fell below these physiological requirements. On the other hand, if twenty-two cents or more per man was spent each day, the chances that nutrition would be adequate were much better, although a number of families spending more than the sum named were under-fed. The next year fifty budgets collected in Buffalo under the direction of John R. Howard, Jr., were submitted to Professor Underhill, who found that the minimum expenditure for proper nutrition was twenty-one cents per man per day in that city. The difference of one cent between these two cities in the minimum money requirement for food seems to have been due largely to the fact that the New York dietaries included expenditures for beer, which was not counted as a food in Buffalo.

What do these figures mean? For practical illustration, suppose a family consists of a man, his wife, a boy of sixteen, and a girl of thirteen. How may these standards be applied? As a consumer of food the man counts as 1.0, his wife as 0.8, the boy

as 0.9 and the girl as 0.6. In other words, that household of four people would need 3.3 times as much food as one man. If it costs \$.22 a day to nourish one man, to feed this family it would cost 3.3 times \$.22 or \$.726. Thus, if there is in existence a recognised standard for the cost of feeding a man, it is a simple matter to derive a standard for feeding a family of any given composition. The question arises then, how well the twenty-two cents per man per day found to be the minimum cost of food in 1907 in New York City applies in 1914.

In order to answer this question, the quotations compiled by the Federal Bureau of Labor Statistics were studied, and it was found that food prices in New York City had risen sixteen per cent. from 1907 to 1913 — in other words, that the minimum cost of food, according to Professor Underhill's standard, would have been \$.255 per man per day in 1913. This standard has been tested from another angle. Miss Gibbs, of the New York Association for Improving the Condition of the Poor, has been working for several years on the problem of determining the necessary minimum outlay in feeding the families dependent upon that society. The results of her experiments have shown that, after considerable expenditure of patience and energy, the housewife can be taught to provide adequate diet for the family at the rate of \$.27 per man per day if the family numbers three or more. Her standard is but one and a half cents above that found by Professor Underhill when corrected for the rise in prices to 1913. In this report the Gibbs standard has been adopted for two reasons. First, Miss Gibbs thinks her standard none too high; in fact, she desires that it be raised as soon as sufficient funds are available. In the second place, Professor Underhill, while sure that a large proportion of families were under-fed if they expended less than his standard, was not certain that households expending more would be properly fed.

Adopting, then, this standard of \$.27 per man per day as the minimum necessary expenditure for food, it may be well to select

a family of normal size, and to determine its necessary food expenditures for a year. In the group of families earning from \$8 to \$9 studied by the Committee on the Cost of Living in 1907, the average food requirement was 3.3 that of the food of one adult male. A household, for instance, consisting of a man (1.0), his wife (0.8), a boy of ten (0.6), a girl of eight (0.5), and another child of four (0.4) would have the consumption capacity quoted. A family composed of a man (1.0), his wife (0.8), a boy of sixteen (0.9), and a girl of thirteen (0.6) would have the same needs. At the rate of \$.27 per man, the daily cost of feeding such a family would be \$.891, and the yearly cost \$325.22. A larger household has greater needs, but it may be assumed that for New York City a normal family should have at least \$325 a year to be expended on food. Since the prices in other cities of the State were different from those in New York, it is well to translate this New York City standard into terms of the prices in the other municipalities. In Buffalo the food allowance would be \$281.64, in Syracuse \$295.30, in Elmira \$315.46, and in Albany \$324.56. Thus it can be said with substantial certainty that a minimum necessary cost of food has been established for the normal family.

THE COST OF A HOUSE

It is a comparatively easy matter to determine how much food is required by an ordinary household; it is more difficult to decide how much should be spent in securing proper housing. The importance of the dwelling can hardly be exaggerated when one considers the problem of health. Light is essential to cleanliness, and ventilation, of course, is an absolute necessity. No toilet should be used by more than one family. In order that these and other important requirements may be realized, it has been necessary to pass a very specific and stringent tenement house law. In all newly-built tenements a toilet must be within each apartment; large courts must be provided; and the height of the building is limited, in order that light may penetrate to the lower

windows and that there may be ample air space. Tenements which comply with this law can be considered, in the main, satisfactory for dwelling purposes; but comparatively few such buildings have been erected in the metropolis for working class families; and the reason has been that their construction is not a paying proposition. So there are not enough apartments meeting modern legal standards to go around among the families that need homes.

Housing and morals are closely related in many ways. In the first place, unless rooms are so arranged that privacy is possible, there are inevitable associations which tend to degrade the finer sense of decency. This is particularly true if there are many persons occupying one apartment and the rooms are crowded. Another relation between housing and morals should be noted, namely, the fact that one living in a tenement house is thrown into intimate contact with other families, and the lower standards are frequently contagious.

The task of determining a standard for housing is further complicated by the dissimilarity of the problems in different cities. New York has three main types of tenements for working people; Buffalo is a city composed largely of small one, one-and-a-half, and two-story detached houses; Troy is full of three-story, three-family houses; and so the catalog might be lengthened. When there exists such a divergence of building types, it is apparent that the criteria of one city cannot be applied to another. What, then, can be adopted as a standard of the proper home?

Social workers seem to agree that if the average number of persons per room is more than one and five-tenths, the apartment is too crowded for decency. According to this standard, a family of five or of six needs at least four rooms; but the bars might be lowered by a small margin. If five individuals are in three rooms the ratio is one and seven-tenths persons to a room. There may be no particular harm in this proportion if only the rooms are properly arranged. The second part of the standard to be adopted is that each family should have a separate toilet. For



MODEL TENEMENTS — PROPERTY OF THE CITY AND SUBURBAN HOMES COMPANY, EAST SEVENTY-EIGHTH STREET, NEW YORK CITY.

On the extreme right is shown a portion of the Junior League Hotel, the woman's hotel conducted by the same company.

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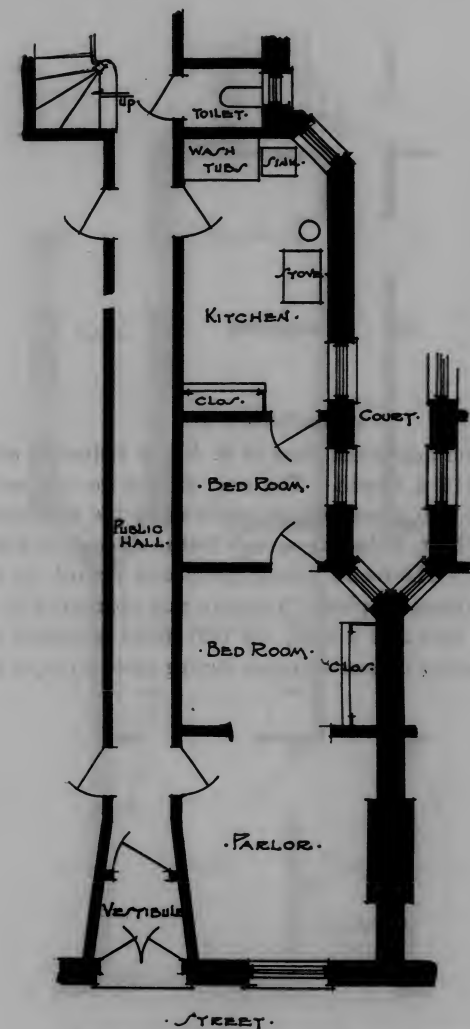
obvious reasons this seems absolutely essential not only as a matter of health but also for the sake of decency, and has been properly incorporated in the New York City Tenement House Law.

HOUSING IN NEW YORK CITY

Adopting then these two criteria, what will be the cost in New York City of an apartment fit for a family of five? There are presented herewith plans of six apartments typical of those visited by the agents of this Commission while studying households in New York City. These apartments are of varying grades and it may be well to describe them in order to realize just what money will actually buy in housing accommodations.

APARTMENT No. 1

The first apartment, that of Mrs. R. G., on W. 27th street, consists of four rooms, and rents for \$15 a month. As fuel costs \$52 annually, exclusive of the gas used for cooking in the summer, the cost of rent and heat for this apartment probably exceeds \$200 a year. Although the rooms are adequately lighted, the household lacks exclusive use of the toilet, which is shared by the other family on the same floor.



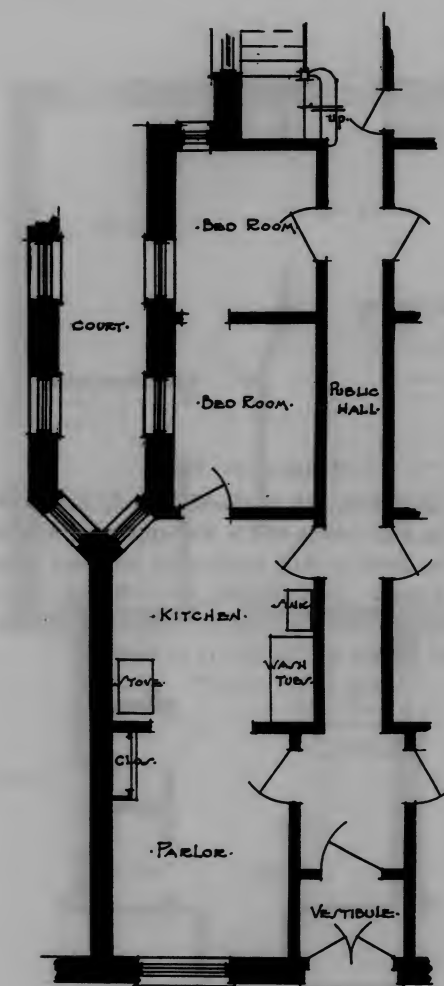
APARTMENTS OF MRS. R. G.
— WEST 27TH ST. N.Y.C.

SCALE.
1" = 10' 0"

DIAGRAM No. 9

APARTMENT No. 2

The second apartment, that of S. F., on Columbia street, also rents for \$15 a month. The cost of fuel in this case is approximately \$20 a year which would make the total annual cost of rent and heat, including enough fuel to do some of the cooking, about \$200. The rooms are all fairly well lighted, on the usual dumb bell tenement plan. Although this apartment is equipped with wash tubs and a sink, the only toilet available is in the hall. It cannot be considered as coming up to a proper standard.

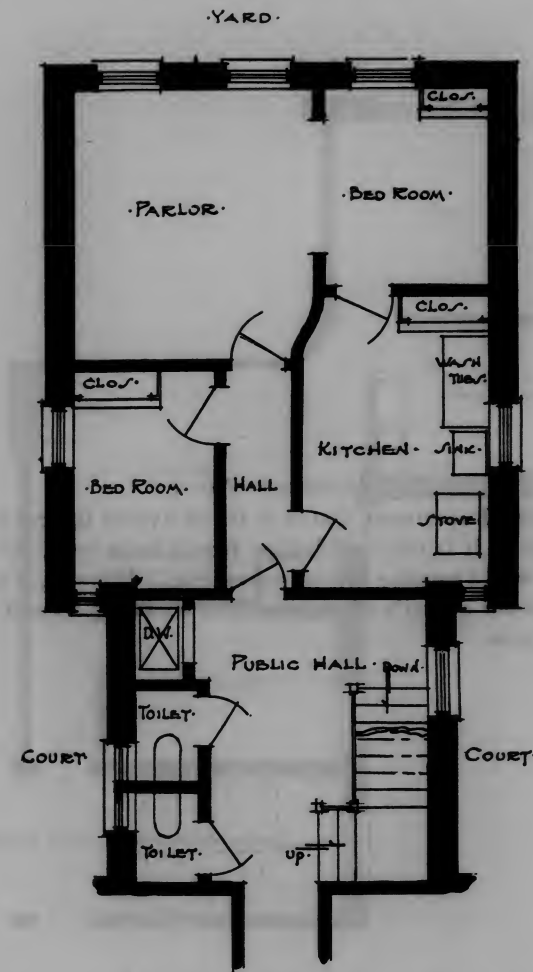


STREET.
 APARTMENTS OF S. F.
 COLUMBIA ST. N.Y.C.
 SCALE.
 10 20 30 40 50 60 70 80 90 100 FEET.

DIAGRAM No. 10

APARTMENT No. 3

The third apartment, the abode of Mrs. I. N., on West 17th Street, contains four rooms and a well-appointed kitchen. This apartment, also, rents at \$15 per month, but heat must be supplied by the tenant. In this case, too, although the rooms are fairly large and are decently lighted, the standard is not met, for the toilet, used by but one family, is in the hall.



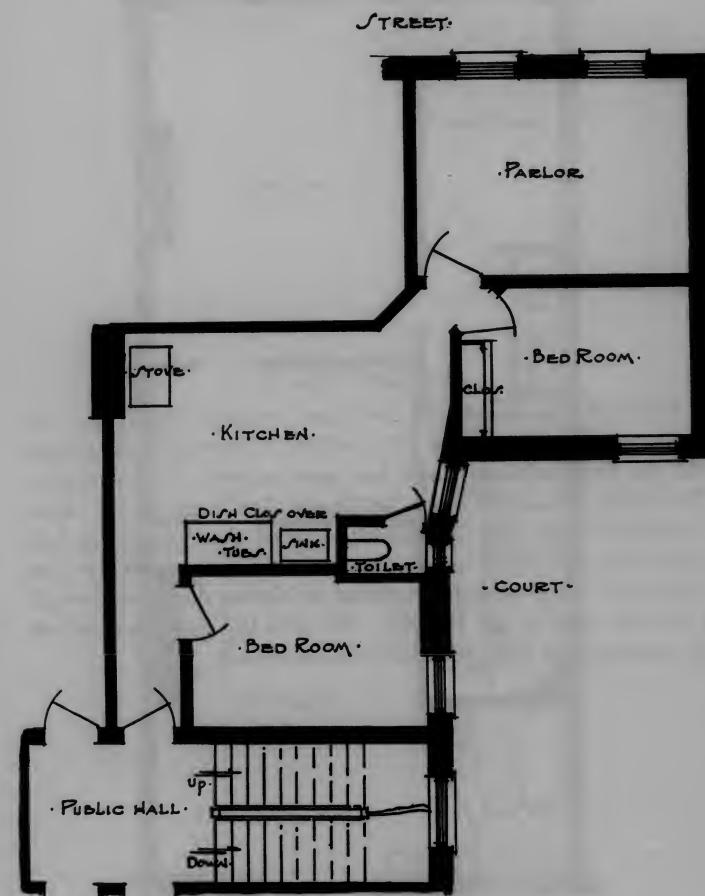
APARTMENTS OF MRS. I. N.
WEST 17TH ST. N.Y.C.

SCALE.
1 2 3 4 5 6 7 8 9 10 FEET.

DIAGRAM No. 11

APARTMENT No. 4

The fourth apartment, that of A. G., on Avenue B, rents for \$17 a month. It is very well lighted from a large court, but is arranged with a peculiar idea of convenience. However, it may be said that for a family of not more than six this apartment would be adequate.



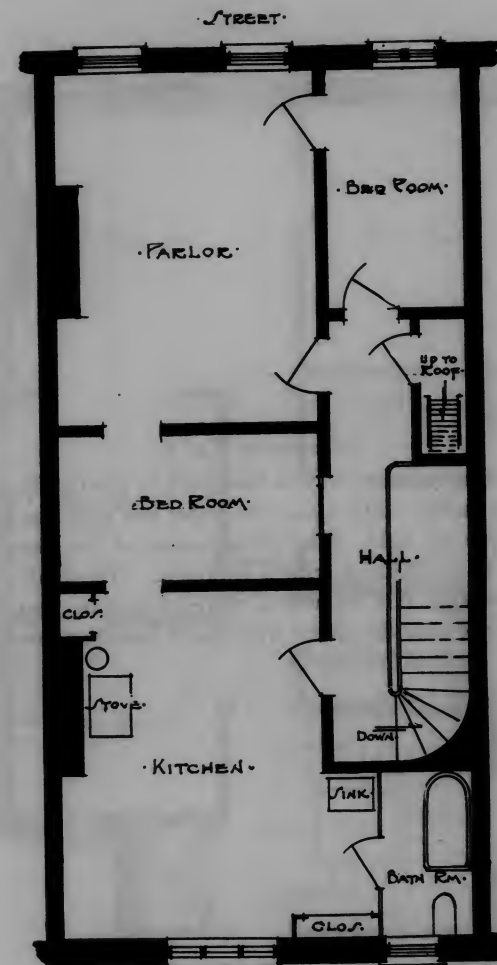
APARTMENTS OF A. G.
AVE. B. N.Y.C.

SCALE:
100 FEET.

DIAGRAM No. 12

APARTMENT No. 5

The fifth apartment, the tenement occupied by J. A., on Rivington Street, rents for \$20 a month. There are four rooms, and the first bathroom which has come to notice in this sketch. The rooms, moreover, are a bit larger than those in the other tenements mentioned. It should be noted that one of the bed rooms has no window upon either a court or a street, its sole ventilation being through the parlor or kitchen doors, or through a window opening into the hall. So, even this apartment cannot be considered as furnishing passable conditions.

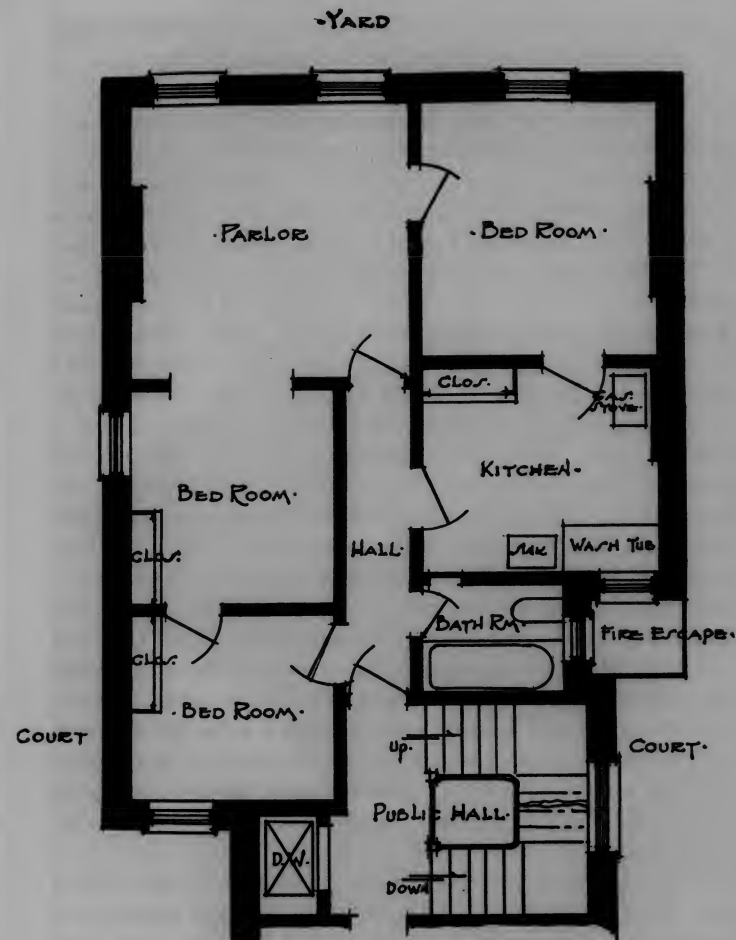


YARD.
 APARTMENTS OF J. A.
 RIVINGTON ST. N.Y.C.
 SCALE.
 1" = 10' 0"

DIAGRAM No. 13

APARTMENT No. 6

The sixth apartment which is inhabited by the family of I. B., is almost a model. The rooms are large, and each has some external source of light. The arrangement of the tenement is sane, and it is equipped with a bathroom. The rent is \$26 a month; but since this includes a charge for steam heat, the advance in price over the others which have been mentioned is not as great as would at first appear.



APARTMENTS OF I — B —
 — EAST 13TH ST. N.Y.C. —
 — SCALE —
 1" = 10' 0"

DIAGRAM No. 14

From these sketches, therefore, it would seem that \$15 a month is not enough in New York City, to hire a home that meets the minimum requirements. The study of sixty apartments, including the homes of working women for which rents were known, shows that it is difficult to hire a tenement equipped with an exclusive toilet for less than \$17 a month. That is, of the sixty examined only two which rented for less than that sum had inside private toilets. Seventeen dollars a month amounts to \$204 a year.

The problem may be approached from a different angle. A real estate dealer, who has charge of over two hundred tenement houses scattered all over Manhattan Island, affirms that a tenement built to conform to the provisions of the new law cannot be rented commercially for less than \$6 per room per month. Now \$6 per room per month for a three room apartment would amount in a year to \$216. Many of the tenements that have been erected under the new law have been partially vacant as long as the rents were held at this figure. Owners have had to lower the rates, and the mortgages upon the buildings have frequently been foreclosed because of the impossibility of paying the necessary return on the original investment. A check on the figures of this real estate agent is afforded by the experience of the City and Suburban Homes Company. This corporation rents its model steam-heated apartments at the rate of \$1.30 per room per week. The suites are well lighted; each includes a toilet but not, as a rule, a separate bath. At this rent, an apartment of three rooms will cost for the year \$203. This company, however, is paying dividends of but four per cent., being limited by its charter to returns of not over five per cent.

Thus, from three different avenues of approach, it seems that at least \$200 a year must be allowed for the rent and heating of a three-room apartment in New York City; first, the model tenement required an expenditure of \$203 a year; second, the visitation of homes by agents of the Commission showed that a rental of \$17 a month was necessary to secure a decent apartment; and, third, the figures of the real estate agent showed that over \$200 was required if a new law tenement was to be managed on a commercially paying basis.



HOMES OF WORKING-PEOPLE IN BUFFALO.
The second floor of the middle house rents for \$11 per month.

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HOMES OF WORKING-PEOPLE IN BUFFALO.
The second floor of the middle house rents for \$11 per month.

HOUSING IN BUFFALO

It has been suggested that housing conditions in other cities are considerably different from those in New York. In Buffalo large numbers of working people dwell in small detached houses. These homes are one, one and a half, or two stories in height, and have from five to seven rooms. They are generally equipped with running water in the kitchen, but the toilet is frequently in a shed just outside the back door. Three pictures of typical workingmen's homes in Buffalo are presented. These houses are occasionally overcrowded. Frequently a thrifty man of foreign birth, who desires to own his home, will buy under a heavy mortgage. He and his household will live in one or two rooms at the back of the house. The front will be leased to some other family at a rent sufficient to pay interest and taxes. After the owner has paid of his mortgage, he usually dispenses with his tenant, and occupies the house alone; but in the meantime the dwelling has been for several years overcrowded. Others of these houses, either one or two stories in height, are occupied by two or three families per floor. But overcrowding in Buffalo does not mean quite what it does in New York, for, however densely persons may be packed into rooms, the fact that there is generally a grassy plot in front and a yard at the rear and sides of the house makes the air supply better, and the outlook a bit less dismal.

It is true that in Buffalo some four thousand buildings fall under the legal definition of the tenement. These furnish an extremely difficult problem for the health officers of the city, especially since the enormous recent influx of foreigners. On the whole, the housing situation in Buffalo may be summed up in the words of John R. Howard when he says, "The typical Buffalo house is the two-story detached frame house having a grass plot in front and a yard behind. Almost any residence street on the east side of Buffalo is wider, greener and quieter than the finest residence streets in Manhattan but clean air is lacking. Buffalo is a smoky city."

Now what is necessary to obtain a residence for a working man's family in Buffalo? The conclusion reached after a careful investigation by one of the agents of the Commission seems

to be that \$10 or \$11 a month will secure one of the five or six-room houses which have been described above. Ten dollars a month amounts to \$120 a year. Rent in Buffalo, therefore, is approximately 40 per cent. cheaper than in New York; but it should be remembered that this \$120 does not include any allowance for heat.*

HOUSING IN SYRACUSE

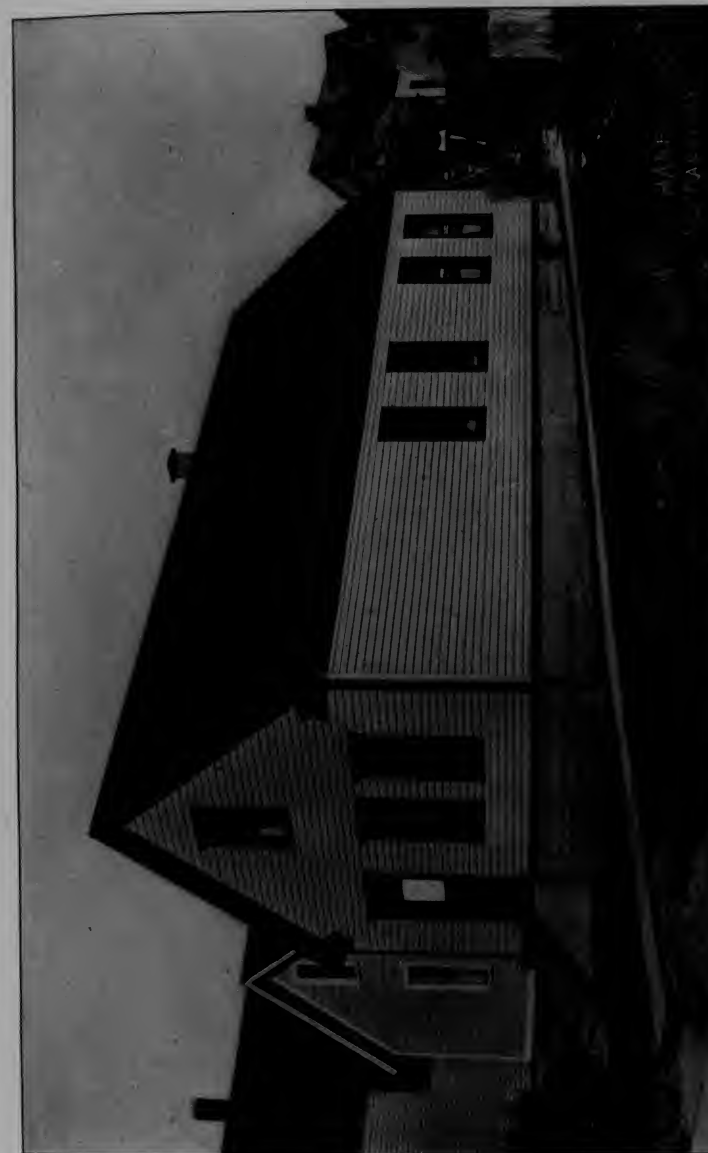
Mr. Almus Olver, the Secretary of the Associated Churches and Charities of Syracuse, was kind enough to furnish the Commission with some data relative to rents in his city. He writes: "In conclusion I desire to say that it is practically impossible in this city for a man with family to secure any sort of adequate house for less than \$10 per month, the prices running from that to \$15. In most instances, however, these houses are either in a most undesirable neighborhood, are in poor repair, with bad sanitation, or have some other objectionable feature which makes the price as low as the figure at which I quote. To obtain a modern flat or apartment with modern conveniences and located in a desirable section of the city, one cannot expect to pay less than \$18 or \$20, and very probably nearer \$25."

A study of the specific examples submitted by Mr. Olver fails to indicate just where the line of adequacy in housing can be drawn for Syracuse, in terms of money. This can be said, that rents are higher in Syracuse than in Buffalo, although lower than in New York.

HOUSING IN TROY †

One of the agents of the Commission spent two weeks in Troy. There the typical home is one floor of a three-story brick or frame house. These apartments rent at very low rates. Five rooms may be procured for as little as \$7 a month, but the houses offering these bargains are frequently tumble-down affairs in which decent living is scarcely possible. For \$13 a light, airy apartment of seven rooms with a toilet, but not usually a bath, can be obtained. The homes which rent for less than \$10 have no gas, as a rule, and are in poor condition. Very few new workingmen's homes are being erected in Troy. It seems, then, in Troy, as in Syracuse, that the

* Appendix V contains a brief account of housing conditions in Buffalo.
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A BUFFALO WORKINGMAN'S HOME.
A German family lives here and is gradually paying off the mortgage.

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realization of decency in housing accommodations requires a larger expenditure than in Buffalo and a smaller outlay than in New York. Perhaps \$12 or \$13 a month would be a representative rent.

SUMMARY

Putting together these data, it appears that, in order to provide fairly decent housing accommodations, the annual allowance for rent in New York City must be at least \$200, in Buffalo at least \$120, and in other cities of the State something between the two. It is not safe, however, to venture conclusions for any cities which have not been specifically mentioned.

FUEL AND LIGHT

In the study made by the Committee of the New York Conference of Charities and Corrections it was found that the families enjoying annual incomes of between eight and nine hundred dollars spent for fuel and light an average of \$41 per year. As these families were realizing an acceptable standard, \$41 a year would be enough to allow for this double purpose. This estimate receives confirmation in the practice of the New York Association for Improving the Condition of the Poor. That Association allows dependent families \$2 a month in the summer, \$3 in the fall and spring and \$4 in the winter, or approximately \$36 a year. However, if a family pay the rent of approximately \$200 which was considered necessary to secure a satisfactory tenement, the rent charge may include heat, as the model apartments are warmed by steam. So the allowance of \$41 can be decreased. Probably \$20 would suffice for the cooking and illumination in a steam heated apartment; and, therefore, in the estimate for New York \$20 is considered the proper sum for fuel and light. For Buffalo, however, where the families live in detached houses, dwellings that would be more difficult to keep warm, the full \$40 has been allowed for this purpose. This corresponds very closely with the estimate of Mr. Howard in 1908, which was 6 per cent. of \$675 or \$40.50.

Adding together the cost of food, rent, and fuel and light, gives a total for food and shelter in New York of \$545 and in Buffalo of \$441. These are the expenditures in which there is a variation

from city to city. The other necessary outlays seem to be quite uniform all over the State. They will, therefore, be treated as if the problem were one for all the cities.

CLOTHING

Difficult as it is to form an exact estimate of the sum required for rent, the task of determining the cost of adequate clothing is even more complex. A satisfactory standard wardrobe seems never to have been worked out. The reason for this is partly to be found in the natural practice of societies for aiding the poor. In the main, although these agencies furnish money with which to hire apartments, money with which to buy food, money with which to pay insurance; when it comes to the supplying of garments, the relief workers have on hand stocks of used clothing. Dependent families are provided from these stores, and so from the experience of charity agents no idea can be formed of the actual commercial cost of clothing a household. For this reason any estimate of the money required for clothing must be largely a matter of judgment.

In this study, a method was adopted which would partially eliminate the personal equation. From the family schedules were compiled very careful lists of the articles necessary in the wardrobes of individuals of both sexes at different ages. After these lists were completed, the prices reported as actually paid for these goods were studied. The result was the series of clothing schedules which follows. It is not maintained that these lists prescribe the exact articles which should be purchased by any particular person. The schedules are offered merely as examples of a wise distribution of expenditures.

Before the lists are presented, it would be well to mention a few of the general principles applied in their formulation. In the first place, it was assumed that regular store prices, not bargain prices and not secondhand sale prices, should be used. This rule was adopted for a reason similar to that favoring its application when discussing the working girls. Although some can be accommodated by sales and by secondhand stores, the number of working families is so large that an adequate allowance for clothing must be based on original prices of firsthand goods. Another assumption was that the housewife would do a great deal of sewing, that she could



A BUFFALO WORKINGMAN'S HOME.
This cottage is rented by thrifty young Pole for \$7.50 per month.

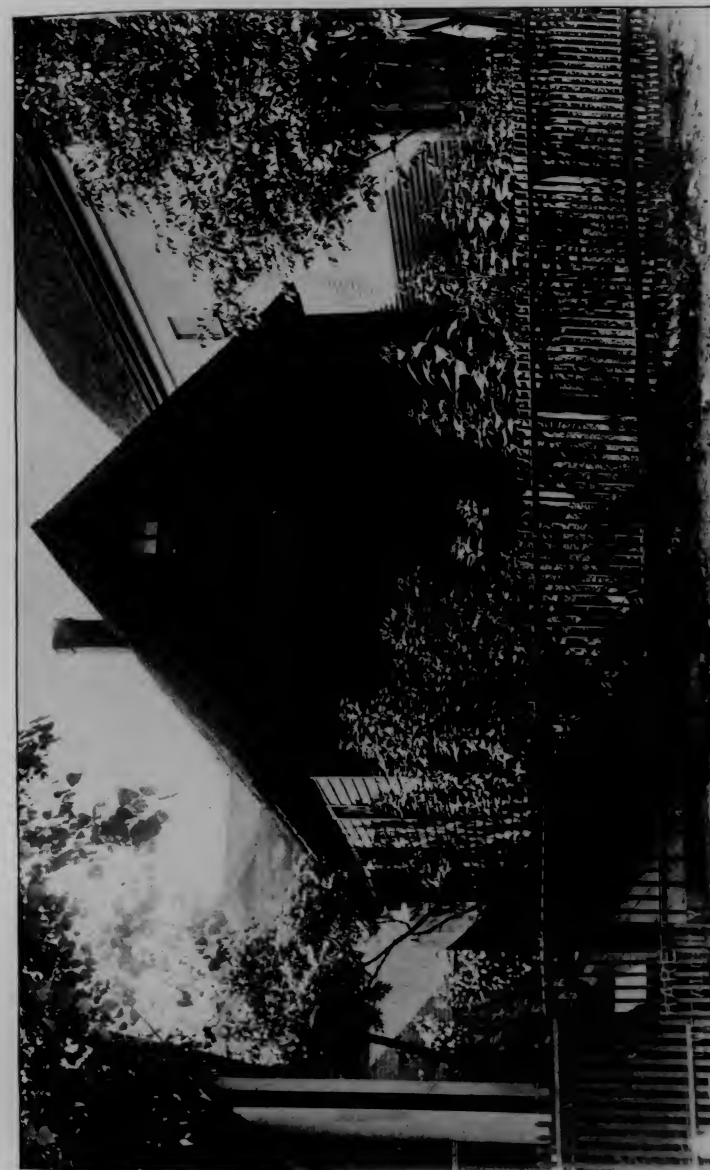
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make a good many of the garments for herself and for the children. So, when a price is given, for instance for the waists of a boy, the sum refers to the cost of material which it is supposed the mother uses. Finally, it was taken for granted that the stock of clothing should be such as to allow the members of the family to enjoy some social intercourse. The mother should have more than a shawl; she should be equipped with a coat in which to go out in the cold weather, either to church, to settlement club meetings, or to gatherings of her friends. Similarly the children should be able to maintain a respectable appearance at school. With this description of the method and principles involved in making the estimates, the schedules may be submitted.

ESTIMATE OF THE COST OF CLOTHING FOR ONE YEAR FOR A MAN

| | |
|---|---------|
| Hats | \$2 50 |
| Overcoat one-fourth of \$15 | 3 75 |
| Suit | 15 00 |
| Shoes 1½ pair \$3.50 and repairs | 8 00 |
| Socks | 1 50 |
| Underclothing | 3 50 |
| Shirts, 4 at \$1 | 4 00 |
| Collars | 1 50 |
| Ties | 1 00 |
| Night shirts | 50 |
| Rubbers | 75 |
| Gloves | 1 00 |
| Umbrella | 1 00 |
| Overalls | 1 50 |
| Work shirts | 1 50 |
| Incidentals, suspenders, garters, handkerchiefs, etc. | 3 00 |
| | <hr/> |
| | \$50 00 |

ESTIMATE OF COST OF CLOTHING FOR ONE YEAR FOR A WOMAN
IN THE HOME

| | |
|------------------------------------|--------|
| Hat | \$4 00 |
| Coat, one-fourth of \$12 | 3 00 |
| Skirt | 4 00 |

| | |
|---------------------------------------|---------|
| Shirtwaists, 3 at 50 cents | \$1 50 |
| Wash dresses | 2 00 |
| Underwear | 2 50 |
| Corsets | 1 50 |
| Corset covers | 1 00 |
| Petticoat | 50 |
| Stockings | 1 50 |
| Shoes 1½ pair \$3.50 and repairs..... | 8 00 |
| Rubbers | 50 |
| Umbrella | 1 00 |
| Gloves | 1 00 |
| Night dresses | 1 00 |
| Aprons | 50 |
| Incidentals | 5 00 |
| | <hr/> |
| | \$38 50 |

ESTIMATE OF CLOTHING COSTS FOR ONE YEAR FOR BOYS

| | Age 13 | Age 10 | Age 4 |
|----------------------------------|---------|---------|---------|
| Hats | \$1 00 | \$1 00 | \$0 50 |
| Overcoats (annual proportion) .. | 2 50 | 2 00 | 1 00 |
| Suits | 10 00 | 4 00 | 4 00 |
| Trousers (extra) | 2 00 | 1 00 | ..... |
| Waists | 50 | 50 | 50 |
| Underwear | 2 00 | 2 00 | 2 00 |
| Ties | 50 | 50 | ..... |
| Dress shirt | 50 | 50 | ..... |
| Collars | 25 | 25 | ..... |
| Night shirt | 50 | 50 | 50 |
| Shoes | 8 00 | 8 00 | 2 25 |
| Stockings | 1 00 | 1 50 | 60 |
| Mittens | 25 | 25 | 25 |
| Incidentals | 3 00 | 2 00 | 2 00 |
| | <hr/> | <hr/> | <hr/> |
| | \$32 00 | \$24 00 | \$13 60 |

ESTIMATE OF CLOTHING COSTS FOR ONE YEAR FOR GIRLS

| | Age 13 | Age 10 | Age 4 |
|---------------------|---------|---------|--------|
| Hats | \$2 00 | \$1 00 | \$0 50 |
| Coats | 3 00 | 2 00 | 2 00 |
| Dresses, wash | 2 00 | 1 50 | 1 00 |
| Dresses, wool | 2 00 | 1 50 | ..... |
| Petticoats | 25 | 25 | 25 |
| Underwear | 2 50 | 1 70 | 1 50 |
| Night dresses | 25 | 25 | 25 |
| Ribbons ..... | ..... | 60 | ..... |
| Mittens | 25 | 25 | 25 |
| Stockings | 1 50 | 2 00 | 60 |
| Shoes | 8 00 | 8 00 | 2 25 |
| Incidentals | 3 00 | 2 00 | 1 00 |
| | <hr/> | <hr/> | <hr/> |
| Totals | \$24 75 | \$21 05 | \$9 60 |

The man at work can barely clothe himself on \$50 a year. This conclusion supposes that he purchases annually one good suit and that the suit lasts him two years, the first for "best" and the second for work. He may protect it with overalls while laboring. The allowance for rubbers in the man's list would seem to be necessary unless there is a larger sum devoted to shoes. A good many articles, such as suspenders or belts, and handkerchiefs, are not mentioned in the schedule, but are covered by the term "incidentals." This estimate of the expense of clothing a man is more than is considered necessary by some other investigators. For instance, the study made in 1913 in Chicago under the direction of J. C. Kennedy resulted in an estimate of \$30 for the clothing of a father. Wood F. Worcester and Daisy W. Worcester, in the section of the sixteenth volume of the Report on the Condition of Woman and Child Wage-Earners in the United States dealing with Fall River, put the cost of clothing a man for a year at \$23.80. The State Conference of Charities and Corrections, through its committee in 1907, allowed approximately \$33. The justification of the difference between the sum here offered and the other estimates is the belief that the previous

lists were made for a man who does nothing but work, that is, for a man who enjoys very little social intercourse. The study of the family wardrobes makes it impossible to believe that a man can present a decent appearance in company on anything less than \$50 a year.

Similarly the sum deemed requisite for clothing a woman, namely \$38 a year, is considerably higher than previous estimates. For instance, Mr. Kennedy sets the figure at \$30, the Federal Report for Fall River at \$15.45, and the Chapin study at \$23. Now the Federal Report allowed only \$1 for a hat to last a woman a whole year; it assumed an outlay of twenty-five cents for mittens. Moreover, this report makes no provision for corsets, very little for underwear and nothing at all for incidentals. Other omissions and instances of undue frugality can be noted in the estimates wherever they have been itemized. So it seems that the lower estimates are unduly parsimonious. The wardrobe made possible by the expenditure of \$38 is *all too scant*.

The estimates for the clothing expenditures for children of various ages are likewise higher than those of some authorities. Take, for example, the matter of shoes. In the estimate here presented the boy of thirteen is given \$8 a year for shoes and repairs. The Federal Report allowed such a boy \$6. Chapin considered the general concept of a boy, for he did not distinguish between ages, and set \$2 as the proper provision for shoes. As an actual fact the agents of this Commission found that many boys use up over twenty dollars worth of foot wear in a year. Low priced shoes, such as working folk often buy, are expensive in the long run; it is no uncommon thing for a healthy youngster to wear out a pair of shoes every month, and sometimes one accomplishes the feat in three weeks. Other specific items might be mentioned. For instance, even the present estimates provide nothing for overshoes and umbrellas for the children; and for children going to school these things are a necessity. It is assumed that one or two children can avail themselves of the mother's umbrella in times of need.

In summary, then, it can be said that, although the estimates submitted in this report are much higher than others, they are

higher only because they include items really essential to welfare, which some investigators have disregarded, or because they make adequate allowance for such undurable articles as shoes and stockings. If the normal family which was assumed in the discussion of food and housing is clothed according to this scale it will cost:

| | |
|---------------------------------|-----------------|
| For the man | \$50 00 |
| For the housewife | 38 50 |
| For the boy of ten | 24 00 |
| For the girl of eight | 18 00 |
| For the child of four | 10 00 |
| Total | <u>\$140 50</u> |

This estimate of \$140 is \$45 more than that made by Professor Chapin in his compilation of the results of the investigation conducted under the auspices of the New York Conference of Charities and Corrections.* But Professor Chapin was sure an adequate supply of clothing could not be provided for less than \$95. On the other hand, he was by no means certain that \$95 would suffice. A curious coincidence is the fact that this estimate of \$140 for the expense of clothing a family is almost exactly equal to that made by Miss Caroline Goodyear, in 1906, when she declared that \$145 was necessary.

In view of these facts and comparisons, it seems wholly within the bounds of reason to say that the minimum necessary clothing expenditure of a normal family is \$140.

CARFARE

If it is at all necessary for the man to ride to business, carfare will cost ten cents for each working day, or \$31.20 a year. A sum for this purpose should be included in the cost of living, as a very large majority of the working families that have been studied live so far from the places of employment that the man is unable to walk.

*Chapin's figure is \$105, but it includes \$10 for washing.

INSURANCE

Another item in the budget which should be provided for is insurance. Of course the judgment of individuals as to what constitutes adequate protection will differ, but a man who starts early enough can obtain a whole life policy at a rate of about \$20 a thousand. The minimum cost of living should, therefore, include at least \$20 for the insurance of the head of the household. An allowance of thirty cents a week for industrial insurance would provide enough for the burial expenses of any of the other members of the family should they die, although industrial insurance can hardly be approved on general business principles. Far more would be obtained for the investment if this sum of thirty cents were set aside to purchase a whole life policy for the woman. At a minimum, however, the total provision for insurance will be \$35.60 a year.

HEALTH

The families in the \$800-income group studied by the New York Committee spent on an average \$22 a year for health. This item is so problematical that it is impossible to state what should be the minimum allowance. As these families seemed to be adequately provided for in every way, \$22 has been here adopted as a reasonable allowance for the care of health.

In the last analysis, the only proper provision for health is insurance: but there seem to be no available statistics to show what American working class sickness insurance rates should be, and until these data are at the disposal of the student it will be impossible to make a scientific estimate of the proper allowance for health.

FURNISHINGS

Every year it is necessary for the ordinary family to replace wornout furniture, or cooking utensils, or linen, or dishes; to buy mops and brooms and pails; and to provide other furnishings. Here again it is impossible to make a precise estimate of the minimum sum required, but it is submitted that the sum allowed in New York City by the Committee of the State Conference of Charities and Corrections, namely \$7 a year, is none too much for this purpose. As there is no better figure available, this amount has been adopted for the purposes of this report.

EDUCATION

Schools, school books, and, generally, libraries are free in New York State. It may, then, seem questionable whether any allowance should be made for education. The question, however, should be quickly dispelled when it is stated that newspapers and periodicals are universally classed by students of social conditions as objects of educational expenditures. If a newspaper be bought every day, the annual cost would be about \$5.63. This sum is considered a minimum necessary outlay for education. Any other expenditures, such as those for pads or pencils, that the children may incur, might be taken from the incidental item to which reference will later be made.

RECREATION AND AMUSEMENT

The interviews of the agents of the Commission with women throughout the State show a dearth of amusement in the families. Most of those who were on the line between self-dependence and poverty had such difficulty making both ends meet that very little remained for the cultivation of taste and for expenditure on pure enjoyment. Many women spend their leisure sitting on the steps of their tenement gossiping; some lean out of the window with a pillow to keep their elbows from being scraped by the stone sills; others take walks to the parks; some occasionally visit relatives or friends; and there is, once in a while, a dinner party; but, on the whole, except for the men, there is little conscious recreation. Now, amusement is a necessity in a normal life. The joyless life can hardly be said to be receiving as much as is sacrificed in maintaining a bare existence. Amusement is imperative, also, in order that efficiency may be realized, for it is only a mind freshened by social contact or by diversion from cares, that is in fit condition to cope with the problems of industry, or to meet the crises which frequently come in managing children. For these reasons it has been deemed wise to include as part of the minimum cost of living for a normal family an allowance of \$50 for recreation and amusement. This is less than \$1 per week or less than twenty cents per person per week, really a very small sum.

MISCELLANEOUS

Under the head of miscellaneous expenditures are included outlays for such things as tobacco, carfare while shopping, purchase of toys for the children, toilet articles, hair cuts for the men, washing and laundry, tools, moving, and the spending money of various members of the family. The allowance for miscellaneous expenditures in the budget which satisfied the New York Conference of Charities and Corrections Committee was \$40 per year. This has been incorporated as part of the present estimate.

SUMMARY

Summing up then, the estimate for the cost of living is as follows:

ESTIMATE OF COST OF LIVING FOR NORMAL FAMILY

3. Units

| | New York | Buffalo |
|-----------------------------------|----------|----------|
| 1. Food | \$325 00 | \$281 00 |
| 2. Rent | 200 00 | 120 00 |
| 3. Fuel and light..... | 20 00 | 40 00 |
| 4. Clothing | 140 00 | 140 00 |
| 5. Carfare | 31 20 | 31 20 |
| 6. Insurance: man | 20 00 | 20 00 |
| family | 15 60 | 15 60 |
| 7. Health | 22 00 | 22 00 |
| 8. Furnishing | 7 00 | 7 00 |
| 9. Education, newspaper | 5 63 | 5 63 |
| 10. Recreation and amusement..... | 50 00 | 50 00 |
| 11. Miscellaneous | 40 00 | 40 00 |
| Total | \$876 43 | \$772 43 |
| Average per week..... | 16 85 | 14 85 |

CRITICISMS OF THIS ESTIMATE

This estimate, namely \$876 in New York City and \$772 in Buffalo, may appear extravagant to those who know that in 1909 the cost of living on a fair standard for English, Irish, French



AN EAST SIDE "DEPARTMENT STORE" IN NEW YORK CITY.

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and Canadian families was set for Fall River, Massachusetts, at \$731.64 by the Federal Bureau of Labor. It must be remembered that in New York City rents are much higher than in Fall River, and it must also be conceded that the estimate which has here been advanced is not extravagant in any of its details. The study of the cost of living in the Chicago Stockyards District by Mr. Kennedy resulted in the conclusion that "Even with the most intelligent use of money and the most economical management of the household it would be impossible for a family of five to live on less than \$800 a year." So the estimates for New York City and Buffalo are not much at variance with that for Chicago, where the housing conditions are so different from those in New York.

The variations of this estimate from the conclusions of the New York Committee in 1907 are defensible. That Committee, in concluding that about \$825 a year was the minimum cost of living in the metropolis, allowed only \$14 a month or \$168 a year for rent. This difference in rent, lessened by a reduction of the fuel allowance, partly accounts for the increase in the cost as estimated for this report; but there was also a difference of \$45 in the amount allowed for clothing, and an addition of \$50 for recreation. On the other hand these increases amounting in the aggregate to about \$105 are, in a measure, offset by a smaller allowance for food. This decrease is possible because the average food expenditure for the families in the committee's \$800 group was \$359—more than the Underhill standard by \$95. The variance of \$93 from the Buffalo standard of Mr. Howard, namely \$675, is largely accounted for by the additional allowances for amusement and miscellaneous expenditure, and for clothes.

As these wide variations do exist between the result now submitted and previous estimates, it is necessary to call attention once more to the method by which the figures here offered were obtained. Each major item of the budget has been thoroughly tested. The food cost has been estimated at a standard set by competent students of practical dietetics. The allowance for rent has been made after a careful study of what apartments are available and what they cost. The outlay for fuel and light has been based on past estimates confirmed by the practice of the leading

relief agency in the State. The standard for clothing is a compound of estimates made from the study of what is actually used by decently and by poorly dressed families, and of the prices which they have to pay. Carfare is a necessity to a majority of the families and cannot be less than the sum given. As to insurance, one man's judgment is as good as another's. It is submitted, however, that a whole life policy of \$1,000 for the man, and burial insurance for the rest of the family, is not an unreasonable proposition. The items for education, furniture and health are not exorbitant, and are based on the best possible estimates. So is the allowance for miscellaneous expenditures; but in devoting \$50 to recreation and amusement there is a departure from customary estimates. This departure seems justified by human needs. Thus every item in the budget submitted is one which stands either a scientific test or a test of the best experience and judgment.

It must be reiterated that there is a possibility for appreciable variation in the minimum cost of living from one city of the State to another. Particularly is this true of food and rent. The other items are approximately constant all over the commonwealth. It has been the method of this investigation to estimate the cost of these variable items for Buffalo and for New York, the two cities in which food prices were found to be most different. It seems, therefore, that when it is said that the minimum cost of living is \$876 in New York City and \$772 in Buffalo there have been established the limits between which this cost varies in other cities in the State.

Attention should be called to some of the limitations of this estimate. In the first place, if the family is larger than 3.3 consuming units, that is, if it has more children or older children than the assumed type, the sum set will not suffice. On the other hand, if the family is smaller it can maintain itself on less. The standard was selected with a view of obtaining a family as nearly typical as possible. In the second place, it should be noted that no attention has been paid to the nationality of the family. It was assumed that an "American Standard" is to be realized, and that what a foreign born family can subsist on is not particularly vital to persons studying the cost of living for a community which

should be assimilated if it is not already American. Third, it must be emphasized that the fixing of the minimum cost of living in New York City at \$876 a year, or approximately \$16.85 a week, is not an estimate of a living wage. A living wage must be higher in order to contain an allowance for unemployment. This estimate means that fifty-two times \$16.85 is annually necessary to furnish a decent living to the typical family. And finally, it should be said that no allowance was made in this estimate for savings. Savings are an absolute necessity to a family. It was shown in the first part of this report that to a working woman thrift is essential as a provision for the probable contingencies of misfortune. Now, the larger the number of people involved the greater is the probability of misfortune, and, therefore, the greater is the desirability of saving. If the wage-earner is thrown out of employment the suffering entailed by this misfortune is multiplied by the number of people dependent upon him. For these two reasons — first the greater chance of misfortune, and, second, the greater burden of misfortune when it comes — it is absolutely imperative that the living wage should contain an allowance for saving.

One other thing should be added before this estimate is left, namely, that as it has been made up synthetically it stands the test of practical verification. The reader is referred to Appendix V for a demonstration of the truth of the estimate. *In conclusion, then, it may be said that there is very little reason for doubting the validity of this estimate of \$876 a year in New York City and \$772 a year in Buffalo as the minimum cost of mere living for a typical normal family.*

LIVING ON SIX DOLLARS A WEEK

[1673]

[1673]

LIVING ON SIX DOLLARS A WEEK

BY ESTHER PACKARD

"How do they manage to do it? In what mysterious ways do girls stretch a less than a living wage into a living one?" is the question which the public most often asks when it hears of girls living on \$5, \$6 and \$7 a week.

Miss C. W., a department store clerk, answers quickly, "When I have to pay for a pair of shoes or something like that, I don't buy meat for weeks at a time."

"You see yourself the only thing that is left me to economize on is food," says another department store clerk; "I never eat any breakfasts at all. By experience I found that was the easiest meal to do without."

Annie B. reasons thus: "When I don't spend any money on pleasure and only what I absolutely need on clothes, how else can I economize except on food? What else is there to do?"

"I am covered and that's all you can say about my dresses. I don't know when I've had a dress just because it was pretty and I wanted it," says a girl operator in a Buffalo shirt factory.

These and similar answers are given by the budgets gathered from working girls all over New York State. While the number of girls interviewed is not large enough for statistical conclusions, it is large enough to illumine the wage data already collected. About 300 girls and women living in the large cities all over the State were interviewed and the account of their expenditures carefully tabulated. The fact most strikingly brought out by this study is that on a less than a living wage, one or another item — essential to every normal person's budget — is reduced to a minimum or dropped entirely. Thus these actual budgets show how Mary A. gets along on her \$6 a week and how Miss T. manages on her \$7. Mary A. does it in one way and Miss T. in another. If Mary A.'s expenditure for rent was passable, her expenditure for clothes was not; if Miss T. wanted pleasure in her life, she had to economize on food; if Hilda B. allowed for savings her rent bill was below par. But taking the various items of food, rent, clothes, pleasure and savings, these budgets prove that every

one of the girls interviewed was obliged to sacrifice one of these essentials in order to make both ends meet.

1. CUTTING DOWN ON FOOD

"If I were paying a regular sum — say \$4 or \$5 a week for board, I never could get along in the world," one girl said. "It's only by being able to cut down on food when I need to that I can manage at all." The food budget for herself and her sister, who are clubbing together with another clerk, proves this statement to be true, for it varies from \$3 a week to \$1.20.

Another little girl of twenty, who is getting \$6.50 a week in the millinery work room of a large department store, laughingly said: "I buy my suits with my lunches. Usually I have rolls and coffee for breakfast — that's 10c — then a sandwich and a glass of milk — that's 15c for lunch — and then a real good 25c treat for dinner. But, of course, when I have to pay for a suit or a hat or a pair of shoes it's different. Then I have one meal and perhaps two a day until the bill's paid."

"When I pay 7c for lunch I'm extravagant," said another girl.

Miss G. W., a clerk getting \$6.50 a week in a five and ten-cent store, always reduces her food expenditure when certain bills have to be met. She lives in a small furnished room for which she pays \$3 a week. In addition to the scant furniture which goes with the room, bed linen, a few kitchen utensils and a little two-burner gas stove are supplied in her present quarters.

Miss G. W. gets her dinners out at noon, paying usually 15 or 20 cents for the hot meal. Her breakfasts and suppers she gets herself on her little two-burner gas stove. These two meals do not cost her more than \$1 a week. "They cannot cost more because I simply haven't got it to pay," Miss W. remarked. Her brother, who lives on a farm, supplies her with fresh eggs and potatoes. These seem to be her main diet. Meat she can afford only once a week — on Sundays. "But, of course," she added, "when I have to pay for a pair of shoes or something like that, I don't buy meat for weeks at a time." The \$1 a week which is her ordinary food allowance keeps her supplied with bread and butter and salt and a few cheap vegetables. The eggs and potatoes sent her from the "piece de resistance."

Another girl of twenty-two was sick last winter and absent from work for a week. The doctors called her illness "general anæmia." "Worn out" and "exhausted" were the words which they used. Her story, later learned in detail, was a sufficient explanation of this breakdown. She never eats any breakfasts, having found out by experience that breakfast was the easiest meal for her to leave out. She is a clerk getting \$6 a week as saleslady in the white goods department of a large up-State store. "You see, I've figured it all out," she said; "I pay \$2 for my room — that bill has to be met every week. Then once a month 25c is taken out of my pay envelope for the store Benefit Fund. That also is regular and can't be cut down on. I've got to dress decent to keep my job. If I didn't spend \$1.25 a week on clothes they'd fire me sure. So you see yourself the only thing is left me to economize on is food." Fifteen or 20 cents is the highest amount she ever pays for lunch and dinner. "You know sometimes I just long for a good 30c. meal," she said. "But I haven't the price of it in my pocketbook so what can I do? I get so tired of those 20c. dinners year in and year out, that often I think I'd rather not eat at all."

Mrs. S. H., a woman in the pattern department of a department store, has herself and her little four and a half year old boy to support on \$6 a week. Her husband died two and a half years ago, and ever since then she has had the responsibility of providing for herself and her baby. She boards with a private family who are unusually good to her — charging only \$3.50 a week for board and room for both herself and the boy. The landlady reduces the weekly board if Mrs. H. is away for any meals, so naturally Mrs. H. tries to get invited out whenever she can. Often she plans to visit friends just at dinner time so that they may ask her to share in the meal. "I hate to do it and feel awfully cheeky," she said, "but the way I figure it out is that I will either have to do that or else ask for help from the charities. And as long as I'm able-bodied I won't do that."

This dependence on friends for occasional meals is regularly counted upon by a few girls who were frank enough to admit it. Quite often the "gentleman friend" is looked to for help.

"Gee! but I feel sorry for the girls who haven't got a steady."

said Miss H. A. "Why! if I had to buy all of my meals I'd never get along." Her breakfasts and suppers she cooks in her small furnished room, her lunches she usually buys. When she knows that her friend is coming in the evening, she eats only a sandwich and a cup of tea for supper, and then lets his treat of an ice cream soda or candy make up for the rest of her dinner. Sunday dinner I always count on him for," she ingenuously admitted. "As it is now my food bill rarely runs above \$2."

Such instances at least throw light upon the acceptance of the doubtful invitation, and make it easier to understand the free and easy attitude toward men of many working girls. The examples later cited regarding the dependence of underpaid girls upon their men acquaintances for recreation throw still further light upon this subject.

2. REDUCING THE COST OF LIVING QUARTERS

a. *Living in a single room*

"A young girl couldn't live where I do," said Mrs. N., a young widow living in the questionable section of Buffalo, "but I'm married so I feel safe." She has been clerking since her husband's death, two and a half years ago, at \$6 a week — renting a cheap little room in the lodging-house district of the city. It is not yet known as the real "red-light" district, but as Mrs. N. herself put it "the lights are getting pinker every year."

A gas stove on which she cooks all of her meals occupies one corner of her room, a bed another, and a dresser and clothes, neatly arranged on hangers, each of the other two corners. A string stretching from bed to dresser serves as a laundry line. When this is in use the only free space in which to sit is the bed.

From 9 until 6 Mrs. N. stands waiting on customers. At 6 o'clock she walks home through the unpleasant streets to her solitary room, cooks her dinner on the two-burner gas stove, washes up the few dishes, sweeps the floor, washes and irons her shirt-waist and underwear, mends her clothes and then goes to bed. In the morning she rises early to cook her cereal and coffee, washes the dishes again, straightens the little room and then hastens to the store to report for work at 9 A. M. Such is her round — her

life bounded by the jewelry counter in the store and the small crowded room in the questionable section of the city.

"If only I got more and then my mother could live with me," sighed Miss A., a department store clerk. "But I would have to get a larger, lighter room if she were here. I don't mind facing a brick wall and hearing the children in the house cry and carry on, because I am in the room only nights and Sundays and can get along. But I wouldn't have mother put up with it for anything," she said. After fifteen years of clerking, the room which Miss A's wage allows her to have is the kind that she has "to put up with." It is located in the poorer section of Rochester where rents are cheap and children numerous. Climbing up four flights of narrow stairs we come to her apartment — a small, cramped, dark room containing a bed, one straight-backed chair, a dresser and a table. The one tiny window looks out onto a staring red brick wall. Little air comes through this narrow opening, but plenty of noise — the shouts of the children playing on the streets below, the cries of babies and scoldings of tired mothers. To this room Miss A comes, after nine hours of waiting on fretful customers. Opposite this brick wall she spends her evenings and her Sundays.

Those who have never had the experience of living in single rooms in boarding or lodging houses, can never really know what it means to be wholly limited to a single room — to come home from nine or ten hours of work and shut one's self up in a dark hall bedroom — to sleep, and perhaps eat, wash and iron one's clothes, and entertain one's friends all in the same cramped quarters.

And yet there are thousands of working girls whose lives are bounded by just such narrow dimensions — who go daily from the factory or department store to their little hall bedroom, and from the hall bedroom back again to the factory.

b. *Sacrificing Privacy*

Sleeping three in a bed is the way one factory girl economizes on her rent. She pays only \$3.50 for her board and room, but has to sleep in the same bed with two of the landlady's children. She is superintendent of the work at the chocolate table in a candy factory. Usually she gets \$6 a week, but as the trade is

seasonal and the factory closed entirely for a month or more at dull times this \$6 soon peters out. By practicing the most rigid personal economy, and by paying for only one-third of a bed, she "manages" on this amount. She also has to help about the housework, rising at five every morning in order to help get the breakfast. In the evening after the long day's work at the factory is done, she washes the supper dishes, washes out her own clothes, irons them, puts the two children to bed and then crawls into the same bed herself. No privacy — no pleasure, simply a dull, monotonous routine of work and then more work.

c. Accepting Charity; the Subsidized Boarding Home

Miss K., a clerk receiving \$7 a week in one of the department stores, secures cheap board by living in one of the many subsidized homes for working girls. The home in which she lives is a very large one — accommodating some 100 people when filled. It used to be an asylum for deaf-mutes but some years later was turned into an old lady's home with a few working girls accepted temporarily. It has now all of the ear marks of institutionalism — a forbidding dark red brick structure on the outside, parlors, which are pointed to with pride — large, stiff and dark. Lines of straight-backed chairs are pushed close against the wall — a table with a Bible on it standing in the middle of the room. The windows with heavy draperies excluding the light are evidently nailed or painted down. In this parlor it is the privilege of the girls to entertain their friends on Thursday evening. The girls have two nights a week "out" — when, with special permission, they may stay out until after 10 o'clock, but the rest of the week the rules of the house oblige them to be in their rooms by 10 at night. Monday evenings the laundry can be used by the girls — another evening is set aside when rooms are supposed to be swept and dusted. Everything down to the smallest detail is planned and scheduled. In such an atmosphere as this Miss K. has had to live for five or more years.

Board and room can be obtained very cheaply at most of these homes, often from \$2.50 to \$3 a week up. But very few homes are self-supporting, the low amount which the girl pays for board being made up by grants of charity from interested men and women. Some, of course, of the girls who live at these places do

not care how the small sum which they pay for board is supplemented. But a great many do care and do feel the stigma of charity. In some cities these homes will have dozens of unfilled beds because girls would rather manage in any other way than feel that they are the recipients of charity. Often a girl will keep the fact that she lives in one of these homes from her working companions, because she feels that they might despise her as an alms taker. Chances of sociability are thus lost. Individuality is drowned in an imposed system of conduct, and the free, natural expression of a true, home atmosphere thwarted by rules and regulations.

Laura D. is another girl living in one of the other subsidized homes. She began her working career when she was 14 years old for her parents had died and she had no relatives on whom to depend. She is 16 years old now and gets \$4.50 a week as wrapper in one of our largest department stores. She pays \$2.50 a week for board and room — her lunch, put up by the home, being included in this price.

Twenty-five cents a week is her usual allowance for spending money. This leaves her \$1.75 a week for clothes, fines, church dues and incidentals but as she was sick for two weeks and lost two weeks between jobs her small earnings were quickly eaten up leaving her practically nothing for clothes. As nearly as she could remember she had only \$25 to spend on clothes during the entire past year. So her clothes as well as her board and room come as charity and she wears whatever her working girl friends and the matron of the Home can spare her. Taking the conservative figures of an economist — \$75 as a minimum clothes budget for a year and \$4 a week as the lowest sum at which board can be secured — this means that this girl worker living as she is at present is being subsidized by charity to the extent of \$128 a year!

3. ECONOMIZING ON CLOTHES

To the girl who can make her own clothes, it is a comparatively easy matter to reduce the expenditure for this item. Good clothes are not so essential to the factory girl, but the department store worker must in one way or another find the means to clothe herself well. Her neat appearance is as much a part of her business

as her courteous manner. Her clothes must always be "*le dernier cri*," her shirtwaist dainty and fresh.

Many girls who have the ability, make their own clothes in the evening, thus reducing the expenditure for this item. But this way of economizing means no free time in which to enjoy one's self, but evenings sitting bent over garments until late in the night. After a hard day's work at the counter or machine, an evening spent cutting out shirtwaists or bending over skirt patterns, adds materially to the fatigues of the day, and cuts down the time which should be spent in recuperation.

But with an insufficient wage many girls find this form of economy unavoidable. One young woman, for instance, who earns \$8 per week, spends all of her evenings making and remaking her clothes. Her father and mother both being dead, she has been dependent upon her own slender earnings for six and a half years. She pays \$4.55 a week for board and room, from 60c. to \$1.20 for lunches, about \$1 for recreation and incidentals, and 30c. a month benefit assessment, leaving her — since she does her own laundry and walks the thirteen blocks to and from work — about \$1.45 a week for clothes and savings. Each week she tries to put 25c. in the bank but always finds in the end it must go for clothes or incidentals. At the time she was interviewed — the middle of January — she was trying to pay up for a coat bought the first of the fall. Her ability as a seamstress, however, plays her in good stead when it comes to clothes. She can remodel her old dresses, make her shirtwaists and underwear, trim her own hats and present a much neater appearance than can a girl who is not so gifted. Last year she bought a \$15 winter suit which she expects to wear two years, a \$20 winter coat, five pairs of shoes for \$15, three corsets for \$3, made two very attractive new shirtwaists and remodelled some a friend had given her for \$4, trimmed four hats (two winter and two summer) for \$10, and made underwear, etc., for \$5, making her yearly clothes budget \$72. As she has been absent from work only five days in the past six years and takes only the one week's vacation in the summer, given to each employe by the store with pay, her expenditure just equals her income.

Many of the girls who are not so gifted are forced to buy their clothes on the installment plan. Although this may appear to

them to be an economy, it usually involves them in a long, hopeless struggle against debt and is more expensive in the end than flat payments. It took one young girl, for instance, a year to pay for a \$12 dress. Another 18-year-old salesgirl, whose mother is dead and whose father has not been heard from for ten years, is managing to support herself and practically clothe a 14-year-old sister on an \$8 wage. She lives at a home for working girls where she pays \$3 a week for her board and room. Ninety cents goes for lunches, 60c. for carfare and 25c. a month to the store's benefit fund. As this girl is young and very attractive, she has friends who "treat her to a show now and then" and save her the necessity of paying out her own money for recreation. Her laundry she does in her room at night. Whenever she can manage to save a few dollars she buys a coat or a dress and sends it to her 14-year-old sister in an academy. She flushed with pleasure at the praise given her own neat clothes and in reply to the wonder expressed at how well she could look on so small a wage remarked: "Yes, but it takes me months to pay for a single coat or hat. I'm almost never out of debt."

4. SACRIFICING ALL RECREATION

"Oh! I just sit at home in the evenings and worry about what will become of the family if I can't earn more than \$5 a week," said a Polish factory girl when asked what pleasure her wage allowed her. Her father is a plumber by trade and when all goes well can earn \$9 or \$10 a week, but many are the weeks when all does not go well. Last year when this 18-year-old girl was sick with typhoid fever and out of work for four months the Charity Organization Society had to aid the family. "And, oh! how I hated that," she said. "Five dollars doesn't seem very much when I'm feeding 39,000 boxes to a machine every day — but when I don't get it at all it seems like a fortune."

The total sacrifice of any legitimate pleasure is a common form of economy. In many cases among the girls interviewed, this seemed especially disastrous, because many of them were carrying a heavy burden of anxiety, in addition to their work, and particularly needed legitimate distraction. The low wage entailed not only the lack of an outlet for the normal spirit of youth, but also the lack of any relief from besetting worries and anxieties.

One little girl, for instance, did not want to tell her story at all for fear it might jeopardize her job in some way. "You see I've gotta work, I've just gotta," she declared. "I don't complain about anything in the factory. I just take everything as it comes and pray that I may always have work. As long as I have that I'm all right." The reason for her clinging so desperately to her job was soon seen as she began to tell her story. Her father is dead and she, a delicate girl of 24, has to support not only herself but a sick mother besides. She has been working for nine years at a shirt factory and was just recently "promoted" to assistant at \$7.50 a week.

Her mother has some kind of serious stomach trouble. She is up one day and in bed the next. "I worry all day for fear she'll be worse," said the daughter, "and then I wonder sometimes what would happen if I got sick too and she had nobody to care for her. Sometimes I feel sick but I just grit my teeth and say — 'you can't give in, you can't afford to be sick' — and so I go on with my work."

An older brother, an employee in a State Institution, gives what he can to the little household. The medicine alone which the mother needs costs \$1.50 every week, and then there are doctors' bills and rent and food to pay for also. The girl spends practically nothing on herself. She walks to and from work, takes her lunch with her, does her own and her mother's washing, never goes out to shows or parties, and economizes in every possible way on her food. "I am covered and that's all you can say about my dresses. I don't know when I've had a dress just because it was pretty and I wanted it. But I don't mind doing all this if I can keep it up. You see when you have only yourself it's not so bad, but when you've got a sick mother to provide for that's when you wish you got more. I'd like more than \$7.50 after nine years at the same place but I'm afraid I'll get fired if I complain, so I just keep still and try to get along."

Another girl of twenty-three said she had taken no vacation in six years simply because she could not afford to lose her salary for a week or two. "I feel sometimes I'm not really living — I'm just existing," she said. Deserted by her mother when a baby,

and having no other relatives on whom to depend, she left school as soon as the child labor law allowed and went to work in a collar factory where she averaged \$8 a week at piece work. She stayed there for two years but in the end the work proved too hard for her and she had to give it up. She has been bundle girl since then — serving six years at the same store and receiving always \$6 per week. Her expenses for rent, food and clothing claim the entire amount of her wage leaving her nothing at all for recreation. The result is that in six years she has taken no vacation at all, has worked straight through the winters and summers without a break.

Alma D's father has been out of work for a year and the family of eight with two children at school and two babies at home subsist on the \$4.50 wage of Alma and the \$5 wage of the 15-year-old brother, helped out by the father's slender earnings from past years. The mother calls for huge piles of clothes at nearby factories and does "finishing" on them at home. All of the family help at this work in the evening, for it is always a rush order and must be completed at once. So Alma takes her recreation in the evening, after her long day's work is over, sewing on heavy black garments. Often she is up until midnight bending over her work, only to return the next morning at 8 to stand again for nine hours waiting on customers.

The amount spent for recreation varies considerably, of course, as the income varies, but a few girls who were getting \$5, \$6 and \$7 a week reported nothing spent on pleasure for themselves. They did not even have 5c. left to go to a moving picture show after the week's bills were paid. Some never boarded a street car for an evening's ride without planning days ahead how they could spare the nickel from their lunch or clothes money. One girl said, "I'm too dead tired when I get home at 8 o'clock every night to want to do anything else but crawl into bed."

Just as some girls ingenuously admitted relying on friends to provide free meals, others admitted depending on friends to treat them to a show. The girl with a "fellow" was decidedly in luck for she obtained her pleasure free of charge. The only problem seemed to be to "get a fellow." The acceptance on the part of the girl of almost any invitation needs little explanation when one

realizes that she often goes pleasureless unless she does accept "free treats." Low wages and vice are by no means constant companions, but the lack of any spending money and the acceptance of the doubtful invitation certainly do go hand in hand quite frequently.

5. NO PROVISION FOR SAVINGS OR SICKNESS

In every normal person's budget savings form as important an item as food or rent or clothing. The lack of savings, therefore, results from underpayment just as much as the lack of food or proper living quarters. And the budget of many thousands of working girls will reveal this lack.

"If I were sick now I guess I'd have to steal the money to pay the doctor's bills," said Miss P. C., a nervous, grey haired woman of 38 who has worked for twenty years at the same candy factory as hand dipper. She began on \$3.50 a week and is now earning \$6.80 to \$9 a week. Only three months a year, from September to December, can she average \$9. The remainder of the time, when work is slack, she is put on day work at \$6.80 a week. For three weeks after Christmas she was laid off and could earn no money during that time. She lives with her two sisters paying them \$4 a week for board and room.

Her teeth need the dentist's care badly. "But," she remarked, "I haven't the money to pay for having them fixed so I just let them go on hurting me."

This custom of "letting it go on" is undoubtedly one of the many explanations for the anaemic condition of so many working girls. They cannot visit the dentist's office every few months and have their teeth regularly overlooked, they are not able to visit the doctor's whenever a new symptom of disease manifests itself, but they do let it "run on" until the condition becomes serious. If the low wage which the industry pays is accountable for this, should not the disease contracted in this way also be considered "occupational?"

"If I do break down and have to leave work it's the poorhouse for me, I guess," Miss S., a shirt factory operator, declared, "And that's the prospect I face after twenty-five years of honest work." She is a piece worker and in rush seasons can make \$9 to \$9.50 a

week, but when work is slack can average only \$7 or \$7.50. As it is the custom of the factory to deduct for thread, this amounting to from \$1 a week on the hemming machines to 63c. on the button hole machines, this \$7 or \$7.50 becomes \$6 or \$6.50. In the months of prosperity, when Miss S. is earning \$9 and \$9.50, and getting really \$8 or \$8.50, she tries to save up enough money to "see her over" these slack weeks. These so-called savings, however, are not real savings for they quickly vanish during the \$6 or \$6.50 weeks when the weekly expenses far exceed the weekly income.

Last winter Miss S. faced a nervous breakdown. The doctor said it was the speed of the machines and the constant pressure necessitated by the piece work system which had worn on her and gradually broken her strength. "Rest" was the prescription and "rest" was the one prescription which she could not afford to take. "Miss S. and her hemming machine are glued together," the forelady laughingly remarked one day. Miss S. is a woman of 39. After twenty-five years of honest work and after nineteen years of work with the same firm the rest which she so badly needs she cannot even think of taking.

Miss S.'s laughing reference to the poorhouse is not entirely a joke. Charity has to step into the life of many a working girl when all does not go just as she planned it. Miss A., for instance, a 19-year-old paper-box worker, got on quite well until she had appendicitis. She had been working ever since she was 12 years old, first at housework for three and a half years and then, when she decided that that work was too hard and the hours too long, at the candy and later at the paper-box trade. About one and a half years ago, she developed appendicitis, and as she was earning only \$4.50 at the time had to be taken to the city hospital as a charity case and operated upon there. The hospital authorities, knowing her circumstances, allowed her to do light work around the hospital in return for her board and room, during the weeks of convalescence. She is now back at the factory working at the stock table and getting \$5.50 a week at day rates.

The inroads that sickness make upon the yearly budget are strikingly brought out, in a detailed account of expenditures kept, for several months, by a little widow working in a paper-box con-

cern. Mrs. S., over since her husband's death six years ago, has been working with the same firm. Recently she was promoted to inspector because of her capable, skilled working record. She inspects about 30,000 boxes a day watching for twelve defects on each box and receives \$5 a week.

The daughter, the only other member of the family, earns \$6, this combined \$11 wage being the only source of income. When all goes well the account shows an average expenditure of \$4.25 a week for food; \$4.08, \$4, \$4.58, \$4.03, etc., are the exact amounts entered, but when Mrs. S. was sick, the amount spent for food dropped to \$2.98 and \$2.88. Later on when Mrs. S. received a raise in salary it jumped to \$6. The account also shows that while Mrs. S. was sick, and absent from work only two entire weeks and part of two other weeks, she could save nothing for seven weeks, although heretofore savings had been a regular part of her budget, she could allow no expenditure for incidentals for seven weeks, and no expenditure for pleasure for nine weeks.

6. LOWERING THE ENTIRE STANDARD OF LIVING

In some cases there is a general lowering of the entire standard of living in order to make both ends meet. Not food alone nor clothing nor rent are cut down on but all of the items of a necessary budget are reduced. Miss T's. story is a striking example of this. She is a woman of about 31 who has spent most of her life as a clerk in a department store. For eight or nine years she worked in the children's department. She had a reputation as an exceptionally clever saleswoman. Often she would write the advertisements for her department, but after nine years of such services her wage was only \$8. She had a widowed mother living in the country to whom she had to send one or two dollars every week. This left her only \$6 or \$7 for her own expenses. She lived in the lodging house section of Buffalo in a small attic room with only a sky-light window for light and air. For this, she paid \$2.50 a week. Her breakfasts and dinners she cooked herself. At night she would buy some cold ham and a can of tomatoes for her supper. These provisions she would make last for two or three days.

At noon she would buy a dish of beans for 3c. and some bread for 2c. Hardly ever did she pay more than 6c. or 7c. for her lunch. Quite often she went without any breakfast because she had no money in her pocketbook. One girl who had clerked in the same department said that often when she had seen Miss T. looking white and weak at her counter, Miss T. had explained it by saying; "I have had nothing to eat this morning and the reason I am white is simply because I am hungry."

Miss T's. clothes were pathetically old-fashioned; the coat which she wore last winter, having large puffs on the sleeves. As she had no money with which to buy a felt hat she was obliged to wear her summer hat all year round. At one time her black silk waist gave out in the sleeves. She had no money to buy a new waist, not even the few cents with which to buy material to use in mending it, so she went down to the silk department of the store and secured a sample of the goods displayed, using this sample to mend the rent on her sleeve. When the girl clerks, with whom she worked, found out about this they clubbed together and bought her a \$2.98 shirt waist for Christmas.

Miss T. had always been too proud to ask for help but this sacrifice on the part of girls who needed their own money sorely, touched her deeply. Her gratitude, the girls said, was pitiful, it was so sincere and so repeatedly expressed.

The only vacation Miss T. allowed herself was the one week given by the store with pay to each employee. She could not afford to go to the country and have a real rest, so would sit in her little attic room trying to rest there. Every day she would visit the store "just to see if any one had taken her job away." The strain of worry combined with work and the lack of rest has finally told upon her health for she has broken down and is now almost a complete nervous wreck.

Another girl, Annie B., has worked her expenses out in great detail and has figured to the cent just how much she can allow herself for food, clothes, rent, etc. Since her mother died ten years ago and left her an orphan she has been dependent on herself. At present she is receiving \$6 a week as clerk in the flannel goods department of a large store. She lives in a furnished room

house paying \$2 a week for a small dark room. She gets her own breakfasts, consisting of a glass of milk with a raw egg in it, and a few crackers. This she chose because it was nourishing and inexpensive. "When I can afford it, and want to have a real treat," she said, "I get an orange for my breakfast and have that too, but that's only for special occasions and doesn't happen very often." With this planning, breakfast costs her only 5c. or 8c.

Her luncheons she gets at the store in the employees' lunch room, paying 12c. or 15c. for some bread and butter, meat and potatoes. In reply to the question whether she ever indulged in cake or pie or fluffy things that most girls enjoy, she answered quickly: "Oh, no, you see I have to get nourishing things. When I have just so many cents to spend on a meal I try to figure out what will give the most nourishment and then order that. I almost never get pastry or cake. You have to do that way when you've got just so much money to spend and no more." For suppers she pays 25c., frequenting the cheap restaurants where a "regular dinner" is served. In this way her board and room cost her usually \$4.60 a week.

The petty economy and constant strain to make both ends meet have quite evidently told upon her health and left their mark in taut nerves and weakened vitality. Miss B. is very little and thin, pinched looking and extremely nervous. She has been ill several times but has always kept on working. "You see," she said, "I have no one to fall back upon and even if I feel sick I can't be sick. I have to keep going for there is no one to help me." Her \$5 doctor's bill and \$1.25 dentist's bill have been among the expenses she has had to meet this last year. She has done so by going without the occasional orange treat for breakfast, spending 10c. instead of 12c. or 15c. for lunch and 20c. instead of 25c. for supper. She realizes herself that such economy on food already reduced as low as possible perpetuates a vicious circle, but as she said, "When I don't spend any money on pleasure and only what I absolutely need on clothes, how else can I economize, except on food? What else is there to do?"

This year was a very "good year for clothes"—that is, she had to buy very few things as she wore her last year's purchases. The only things she had to buy this winter have been:

| | |
|---|---------|
| 2 dresses at \$9 and \$2.50..... | \$11 50 |
| 1 black waist | 98 |
| 1 black skirt | 2 90 |
| 2 suits of underwear at 50c..... | 1 00 |
| 1 corset | 50 |
| 3 pairs shoes, 1 pair at \$2.90 and 2 at \$2..... | 6 90 |
| 2 pair rubbers at 60c. and 75c..... | 1 35 |
| Stockings at 10c. and 35c..... | 1 70 |
| | <hr/> |
| | \$26 83 |
| | <hr/> |

She explained how a thick winter coat purchased three or four years ago was still warm and wearable, and how a friend had given her two hats and some underwear, which "helped out wonderfully."

The extravagance of two dresses Miss B. evidently thought needed apology, for she hastened to explain that she wouldn't have bought the \$2.50 dress except that her landlady had a dress given to her and was anxious to sell it; as the material was nice and the price low Miss B. decided it would be a good bargain. She could not pay for it outright, however, so has been paying 25c. on it every week. "It's most paid for now," she added.

She also explained about the 10c. stockings, saying she knew it was better economy to pay 35c. or 50c. a pair, but "When you've got just 10c. in your pocket-book," she asked, "and need a pair of stockings what are you going to do?" Her answer evidently was to buy a 10c. pair for she knew by experience the pitfalls of buying on the installment plan and did not care to be involved in debt again.

This strict economy and worried planning was shown as much in the recreation money as in the egg and milk breakfast and \$2.50 second-hand dress. Fifteen cents a week is the very top-notch of expenditure for "pure pleasure." It occurs only on holidays and very special occasions. Usually Miss B. has nothing left out of her salary for even one 5c. picture show. As far as could be learned, church on Sunday seemed to be the one relaxation she allowed herself during the week.

Her story, conscientiously and painstaking told, was one of incessant economy, of minute plannings over unexpected bills and of nerves already worn, stretched tauter. There seemed to be no large and free movement of the mind but a dwarfed and circumvented scheming instead. No gay unexpected pleasure trips, no little lovable extravagances, nothing sudden, bright and colorful in her life could be seen. Pleasure was obtained only after laborious planning, dresses were bought for warmth and durability, never because they were becoming, and food was purchased not for delectability but for the nourishment. Miss B's. whole life seemed to be drab and uniform.

Statistics tell us that thousands of working girls are receiving only \$5, \$6 and \$7 a week. Such figures, no matter how imposing, mean little to the average person unless it brings immediately to his mind a picture of just what this wage actually means to Annie B. or Sarah D. Through this short study of the budgets of working girls in New York State it is hoped to vivify and add color to the great mass of wage data already collected. To one girl \$5 will mean "lack of food," to another it will be "poor living quarters," and to yet another "no savings for the rainy day." But invariably it will mean to thousands a cramped, subnormal way of life — a mere existing, not a real living.

APPENDIX 2

HOW THE WORKING GIRL OF NEW YORK LIVES

By Marie S. Orenstein

[1693]

HOW THE WORKING GIRL OF NEW YORK CITY LIVES

By MARIE S. ORENSTEIN

(This report is submitted as a result of personal interviews which I had with some 600 girls in the confectionery trade, paper-box factories, shirt industry, and mercantile establishments of New York City. The girls were seen at their places of work and many were visited during the evenings in their homes.)

The working girl in the factory and department store is a case like Quetelet's average man. One may write of her and about her and collect statistics without end; but it is only by a taxing of the imagination that we can take the figures of her wage, her education, her age, her living expenses and produce one life-like image or picture of the illusive working girl of New York City.

Since we are prone to be swayed by pathetic cases and dramatic tales, we must subject our feelings and impressions to the scientific study of facts. It were idle to surmise social dangers that from isolated cases are being easily met by individual action. Legislation speaking the voice of the people may not and must not be invoked for slight and infrequent causes, but when patient and thorough investigation reveals a widespread disaster threatening the life, the vitality of the people, then indeed the voice of law can speak strongly and authoritatively.

Studies have been made, figures and graphs prepared and they who will bring the attention and critical interest may discover therein the cumulative evidence of the heroic but unheralded struggle of working women. There are few, however, who can confront these figures and gather therefrom the totality of the problem studied. Some will be struck by the small wages which must be eked out to cover the many demands of living and yet fail to appreciate some of the other factors. Even those who carefully piece together the whole panorama will yet lack the perspective of reality.

The women who have been studied are revealed as wage earners, working so many hours behind the counter or running a machine and gaining therefor so much wage, and since only such a wage earning woman is disclosed, quite unconsciously the idea creeps in that she exists solely to work. Yet taking it from one's own

angle it must be apparent that industry is but one element in the complex of her living and that she hopes, fears, desires, enjoys her pleasure, with perhaps a smoldering anger at her bondage. Only the scientific study can sublimate her of personality. Once free of the shop, the store, she embarks again on the conflicting currents of existence.

With thousands of girls self-supporting and away from their families, curiosity must naturally be aroused as to how these girls live. Numbers of them have found their way through friends or social agencies into subsidized homes for working girls. These are scattered throughout the City of New York in the neighborhood of big department stores. To a large extent these homes are standardized — as are the stores, offices, shops wherein the girls work — though they vary in details of appointment, management and general atmosphere with the personality of the matron and the attitude of the committee. In some there is a feeling of ease, of rubbing elbows with your fellow beings, sounds of tears and laughter; in others a strained hushed tension of regime — a walking-on-eggs sensation — is apparent. "That unmistakably excellent and chilling air so subtly imparted by the altruistic act of furnishing for others" is either the dominant or undercurrent note.

One splendid old fashioned house has been converted to this end. The parlor, genteel and shabby with its soft, comfortable, lounging chairs of subdued brown, is provided for the young women to receive and entertain callers. A well equipped laundry is at the disposal of the girls. Board and lodging varies from \$3.50 to \$5 per week depending upon the number occupying a room. There is a general provision that only girls earning \$10 and less be admitted. After 12 o'clock midnight the bolt is drawn and entrance cannot be obtained.

"But what is the primary object of this home?" was asked of the matron. "To engender in the girls the feeling of home atmosphere," was the emphatic reply. Just then a lad interrupted asking to see two girls whose names he mispronounced. "What, call on girls and yet not know their names correctly?" Later the girls appeared and were roundly questioned regarding

their visitor. "I am introduced to every young man that comes, and I make each one understand that he is to call for the girl and bring her back to the house. This discourages meeting on street corners." To further insure observance of propriety the matron usually sits in the parlor and enters into the conversation of the young men and women. "What is your policy towards the girl who falls below the standards of the home?" was asked. "I talk over her misdemeanors with her several times, counsel and warn her and then if she fails to come up to the requirements I ask her to leave. For one must be sacrificed to the many." It almost seems as if Ferrand in Galsworthy's, "The Pigeon," had hit the mark when he said, "I have been in three institutions. They are palaces. One may eat upon the floor——. One little thing they lack, those palaces. It is the understanding of the 'human heart. In them tame birds pluck wild birds naked." And that is probably Mary's fate. Mary, a plump, vivacious Irish-American girl, bubbling over with youthful spirits, craving, needing, demanding fun. She is the sort that worries matrons and is probably at length asked to leave, thus losing one more prop of self-defense in her life, already full of conflicts. "Mary troubles me," said the well meaning and sincerely concerned matron. "She is so generous, so warm-hearted, so contrite when her evil ways are pointed out to her. The other night she flirted with a man across the street. It is true she dropped him when he offered to take her into a saloon. But she does go to picture shows and dance halls with 'pick up' men and boys. We have a victrola and a piano for the girls and their friends to dance all they please. But that does not seem to suffice them. In the summer time especially, the reception room is practically vacant." But Mary earns only \$7 per week selling underwear. Half of her wages are spent to keep a roof over her head — all the remainder, except \$1, she sends home to an invalid father. So how can Mary get her fun if her "men friends" do not take her out? When it's the breath of her nostrils, the greatest incentive to stand behind the counter all day long, what avails it to say: "Then she should give up her play."

Elsie also born and bred in this country, Mary's room-mate, is just as passionately fond of going out and having beaux, many

beaux, but is somewhat more delicate about it. She has a brother who keeps an eye over her and her retinue. For Elsie is a tiny elfish creature of eighteen, with wonderful golden hair and grey eyes that turn black with intensity and emotion. Though somewhat deformed by a spine curvature, her drawing charm is not lessened, nor her vivacity and cheerfulness dampened. "Elsie is very sweet and wise," said the matron, "but I think her over-sexed, she loves boys. On a Saturday afternoon a string of them are here to call on her. It seems to me that all the elevator, messenger, and parcel-wrapper boys of — store are at her heels." Elsie wraps infants' wear for \$5 per week, standing at her job most of the time. Ever since she was fifteen she has had to help support her family. When her father died recently she couldn't get on with her stepmother any longer and so came here to live. After Elsie has paid for her board and car fare and twenty cents a week for insurance — this she does with almost ferocious tenacity, for it will assure her \$88 when twenty-five years old and a decent burial at any time, "tho it is rather early to think of that," she commented. Eighty cents is left for her dressing, recreation and other exigencies of life. How does she manage to look so well dressed, to be so neat and trim, silk-stocked at that; go to theater, summer resorts, etc. Well, all the milk of human kindness is not gone. One of the saleswomen, who has sisters, gives her slightly worn but very respectable looking skirts, waists, etc. For shoes, underwear and stockings she must rely upon her own resources. "And how fast money does go!" she exclaims dolorously. In leisure moments she, as so many other hard working girls, launders, mends, sews. Quite naturally she looks to her boy friends for recreation. "If they didn't take me how could I go out? And I do so love summer outings, fishing, bathing, theaters." A vacation to Elsie and her kind always means running into great debt, for tho she does not spend any more, her income is either reduced or stopped. Impulsive, full of abandon, Elsie not so very long ago, seriously considered selling her glorious hair to realize money so that she might go west and marry one of the boys. No amount of persuasion would prevail with her, but the sudden appearance of a midshipman — an old sweetheart of hers — made her relinquish the plan.

Life in these homes, which for its closeness and lack of privacy is as good as bivouacing in the open, gives play to the best and the worst. One girl was heard to exclaim: "Dear me, got my pay yesterday and only ten cents left to see me through the week. Mazie, lend me a quarter?" "Sure" came a chorus of half dozen voices. In youth's great dramas of love and joy and sorrow girls help each other out in a hundred different ways. Yet one working-girls' home had to close down and later reorganized because the common dormitories had become a fertile field for spreading vicious, dangerous, and immoral information about street life and prostitution.

The spirit of friendliness is not always present. In one home a new comer was thrust into a room occupied by others, without even an introduction. She was looked at askance and excluded from conversation and at the table she was severely let alone. If ever loneliness is crushing it is then. Still the girls are not to be so much censured, to have a stranger whose name even is unknown to them, placed in the midst of all their worldly possession is indeed trying. The simplest formalities would reduce the barriers.

To entertain the thought for a moment that most young working girls' lives are just an alternation of work and play is, alas, a mere mirage. Witness a girl of eighteen saying: "Pleasure, play for me! How can it be? It's either the thunderous clatter and burr of machines, when I'm fortunate enough to have a job, or the four walls of a room and misery all about. Just why one should go on living puzzles me. For a long while after I came to this country, I had but one idea — to end everything by taking gas or jumping out the window. My sister never took her eyes off me. Finally I got accustomed to my misery. I saw that everybody about me was neither more fortunate nor happy. Now I live from hand to mouth, from day to day, just to see what tomorrow might bring. Tell me, why should I have wanted to live in such gross poverty — I who had been accustomed to a large house, fields and meadows. To work all day, six days a week and all for four and a half dollars! Now it's a little better. Seven or eight dollars — when you are working — goes further." Is one not appalled at the drab grey monotony of such a life, its

power to smother, to kill all joy of living. "There is a great deal of talk about the danger and sadness of dissipation in youth. Too little is said of the fact that such an enclosing monotony and stark poverty of existence in youth is sadness itself, as cruel to the pulse in its numb passage as the painful sense of wreck. All tragedies are not those of violence but of depletion too and of starvation." How many echoes will be found to Celia's long cry. She has known nothing but work, since her thirteenth year. "Never have I been to a moving picture show or taken out. The excursions that leave the pier make me jealous sometimes. If I could only go once on one of them excursions", she fairly sobbed, "I should be happy to just sit in the corner and read a book. Only to be out like everybody else!" Day after day she returns from the lace factory and somehow or other — perhaps it's because she is a foreigner among so many native born — she is a mere spectator in the very congenial life of the unique Boat Hotel. There, cabins have been converted into very comfortable bedrooms — some having bath tubs in the rooms. Rates are very reasonable, \$2.80 to \$3.50 for room and board. One of the decks is utilized for out-door sleeping. The girls and their friends have the freedom of the boat, decks, dining-room, reception salons — exclusive of bedrooms. A yacht anchored several feet away is inhabited by young men. There is a freedom and ease about this place truly noteworthy.

It must be acknowledged that despite the repressive, well-intentioned discipline of the homes, girls obtain greater physical comfort and better nourishment on the whole than they usually find in the casual boarding house. Then there is the easily made acquaintanceship with those approaching one's age and interests. Occasionally the bound and joy of a boarding school may be found in these dormitories.

Yet despite some of the patent advantages, many girls prefer to live with private families. "I live with a Missus" is the recurring explanation of an immigrant shop girl. To her this is the nearest approach to home — for it is not unwonted that the "Missus" is a relative or friend, "landsleute" — it is more respectable, more safe than living totally apart from kith and kin.

Moreover the family, which is so often driving the wolf from the door, will time and again countenance a falling behind in the board bill, when the girl is out of work. "Don't I know what it means to be out of a job" many a kindly woman will say. "She is like my own child. How could I put her out? The little we have will have to go a bit further for a while." On the other hand the girls repay in kind, giving their services in every conceivable way. To quote Jennie, who lives very closely: "When I don't work I look after the three children and the home. My Missus was deserted by her husband. She depends lots on my rent. Now I must go to live with my sister, because her husband is out of work. But first I must find some one to take this room."

Living thus, usually means a tiny room with ubiquitous green or large flowered walls; a window opening into an air shaft or an inner court hung thick with bedding and washing. A bed that nearly swallows the room, a chair, a table, indifferent cleanliness, poor light and ventilation. The meagre wardrobe is placed in an improvised clothes press which is simply several nails driven into the wall with a sheet to cover the suspended garments. A bewildering collection of picture post cards or family photographs add color. Most girls share a room of this sort. Some few are fortunate enough to have a hall entrance to their rooms, so that they are shut off from the family. Most, however, live in the very heart of the beehive. Others again occupy the parlor — a composite of living and dining room — sharing a lounge or folding bed with a member of the family.

Among Polish working-girls this question of congestion is intensely appalling. The girls live with a married relative or friend, who keeps four or five male boarders in three or four rooms. Meriska, a white faced, fagged out little laundress sleeps in a room, where the light rarely penetrates. It is shared by her brother and his bride. Beyond this room is another, occupied by a male lodger. Unspeakably dirty are the beds covered with sack cloth. Though this sort of living may be attributed to low standards yet we might be just a little less concerned if the girls were earning a decent wage. For with it, almost immediately comes a more decorous manner of life.

Boarding and furnished-room houses get their quota of working girls. The latter is a cheaper way of living and longed-for privacy is sometimes procured. However, a young girl is not infrequently exposed to annoyances and dangers of all sorts when living thus. One girl with five or six years of furnished-room experience relates that time and again when a male lodger meets a girl on the landing, his salutation usually ends with something like this: "Won't you step into my place and have a glass of beer with me?" A very disagreeable encounter the girl related. She was living in a tiny cubbyhole of a room, whose only window opened on the hall. For it she paid \$1.75 a week. One evening a man living across the hall brought her a message that a lady had called to see her. By his description she could not recognize any of her acquaintances. When he tried to force his way in, the girl perceived that it had all been a subterfuge. Locking her door, she began combing her hair preparatory to retiring. Glancing in the mirror she was startled by the reflection of a man's face. Alarmed, she hastily turned around and saw peering through the window her former intruder. In spite of her covering the window with a newspaper — through which he presently thrust his hand — and her repeated remonstrances, he persistently reappeared and disappeared. "I was afraid to awaken the house, and the landlady lived in the basement; I didn't dare go in the hall. So all night, nearly mad with fear, I lay dressed on the bed."

Occasionally girls take a small flat. This means that every other need or pleasure is subordinated to the bare mechanism of living. "Though we each earn \$9 a week steadily, as saleswomen, it is only by most careful reckoning and constant scrimping that we pull the ends together," said two sisters that live in a tiny two room apartment. "Our work is without end, and if we spend twenty-five cents a week on a show we consider that a great extravagance."

Sometimes a woman gets a flat and rents out rooms. It makes her feel that she has a home. Though this manner of living yields a greater degree of quiet and privacy it means more work — and much of it — to an already very tired body and mind.

A most woeful looking home was that of Anna — one of life's unfortunates. "The doctor said I must have peace, quiet and

plenty of air. So I moved into these two rooms. They cost me \$7 a month, as much as I would have to pay a Missus for one room." This flat is as forlorn, spiritless and slatternly as the existence and appearance of the girl are meagre and charnless. Though only twenty-four years old she looks in the advanced thirties. An old bed, once white, covered with a scattered feather bed, pillows and dingy spread, stands against the wall. Dirty limp curtains hang helplessly on the windows and door. A broken-down lounge heavy with dust, several rickety chairs, a machine and draping form furnish the room. Yet this girl has been accustomed to a different habit of life, but the inertia brought on by illness and unemployment has apparently paralyzed her power to do. At one time she earned as much as \$14 a week, working overtime into the wee chill hours of morning. She was fairly driven by the demon of saving, so that she might have something against hard times. About two years ago, exhausted, cruelly spent, she got blood poison in her arm. Since then, aided by a bit of casual work, she has lived on her savings. It is a dreary life to contemplate and as for recreation she says, "I never go out in the evenings except to my relatives because if I did, I should lose my reputation and that is all I have left." As soon as I get work, I shall cure my other arm, which troubles me; then I can begin to earn money again and some man might be willing to marry me."

To the girl "adrift" earning \$5 to \$8 per week, home rarely spells out comfort, quiet, rest, a place where fagged nerves and weary limbs depleted by the day's grind are recuperated. Nor is it because the girls are ignorant of or indifferent to a better manner of living; sheer lack of means forces them to accept what they do. "Oh, for a place to myself. It's people all day and people all night. It's the ugly shop all day and this hideous little tenement room at night. That's what I work for," exclaimed a worn out, underfed, young American girl, who gets \$6 a week in a sub-basement tube room.

With the frequently superior appointment and service, the larger social intercourse but likewise the irksome necessity of always conforming, imposed by the working-girls' homes, the kindness and mother warmth occasionally found in a congested

and haphazard "Missus" flat, the greater freedom but equally more numerous dangers of lodging and boarding houses, the quiet and privacy of living independently but the constant financial strain, added work and responsibility — need one point out that thousands of industrial women do not live in a manner to increase their working efficiency, add to their vitality, or conserve their potential power for motherhood.

To forestall any misconception regarding these girls, it may be well to repeat and emphasize that they are not all immigrants, newly arrived, with low standards of living. The great bulk of these women are American born and bred and they are living under conditions to which they vehemently object yet are powerless to improve because their pay envelope holds so little.

Turn to their working day and see what their job demands of them. "Work wouldn't be so bad, if you didn't feel pushed and rushed all the time." It is the breathless haste, the "make-you-worth-your-rent-space" principle that early drains the vitality of the girls. It is the "not-seeing-the-forest-for-the-trees" psychology of our industries that shatters women after a few years of work.

"In the large department stores they are always nagging you about your 'book'; if you do not bring your sales up to a certain amount they don't want you," said Miss C., a slight, blond, faded young woman. She has been clerking seven years and her running comments on her experience are worth chronicling.

"In some stores, where I worked a while, it is terrible, because all they care about is that you sell a customer something, no matter how much you lie about it. If the saleswoman cannot tempt the customer, she must call the P. O. man who takes the customer in his hands, and if she fails to call the man, she is paid off and discharged at night. They do not seem to care to hold their trade and have people come back. All they want to do is to rake in a lot during the day and we are the scapegoats.

"Later I worked in a nice specialty shop, where the girls were permitted to rest between customers, because the proprietor recognized that we could sell all the better afterward. The superintendent knew I was an out-of-town girl and thought I

was easy. He was an old man with a wife and children. Day after day he would ask me out for dinner. I saw through his game, but did not want to quarrel, because I needed the job terribly, and finally I spoke to him one day. 'You do annoy me so. I used to respect you and now I don't,' and for a while he let me alone. But when summer came he asked me where I was going away for a vacation, I said I could not afford it. 'Why not go to the Catskills?' said he. 'Catskills,' answered I, 'when I am so poor.' 'Don't worry about that,' said he, 'I will look after you.' Of course I turned him down on that. When fall came he offered to buy me a black broadcloth suit, but I said it was too swell for me, and when the cold weather set in, he proposed to get me a fur coat, but I said that it would be too heavy for me. Finally I could not stand his insistence any longer and left to go to ——— where the work was very hard.

"We had to put heavy coats on racks. It was about Christmas time and the trade big. The head of stock was a frightful woman. She swore and cursed at the girls and would not let you sit down for a while.

"You know the law says that we are to have chairs, but it is simply cruel the way they make us stand up all day long, in some departments. I have seen girls practically fainting from tiredness, toward the end of the day. I have a vacation since the first of June. You know the girl who comes last gets laid off first. The terrible part of this work is, that you never know on Saturday night, when your envelope comes, whether you are going to have a job Monday morning, and your one object in working is to save enough so that when you are laid off you won't have to beg."

This widespread precariousness of work is made but too apparent by the huge army of employees taken on and discharged at the seasonal ebb and flow in industry. Girl after girl speaks of weeks, nay, of months of idleness, following newspaper "adds," loitering about employment offices and finally just wandering about the city looking for "girls wanted" signs until in despair they wait for "it to get busy again." No amount of thrift or industriousness or insight can provide for these lapses

in work. Some face indefinite unemployment philosophically and rest, visit friends, or prepare clothes for themselves; but most are restless, fearful, haunted.

Demoralizing and devastating to spirit and body is this casual and seasonal system of work. "When Mary worked overtime to 8 p. m. at _____ store she would come home so tired, she would, that she'd drop into bed shoes and all, poor child; and her eyes and head they'd pain her so, working all day in the sub-basement at the tubes, reading checks and counting change by the electric light."

"This constant standing has given me varicose veins and my sister flat feet." "When I get home from the shop, when it's busy, I am so tired I don't want to talk or listen to talk. From machine to bed, from bed to machine every day for weeks." Such are some of the comments caught in passing. An older woman has said that girls frequently cut down on their lunch so that they may get a glass of beer or some other alcoholic stimulant to "keep them going" through the long afternoon.

We hear less and less of the cant that the thrifty worker can save enough against lean days. Elizabeth simply makes her \$3, "now that it is slack"—instead of the usual \$6 or \$7. "I eat 7 to 10 meals a week instead of 21, get no clothes, don't spend a penny outside of lodging and food, and run into debt." And from a woman of twenty-eight of American stock, generations back, intelligent and splendid in appearance, "What is so discouraging is to know that no matter how hard or how long I work, at no time do I make enough to wholly support myself, or tide me over a rainy day. My sisters always help me with my clothes. Whenever I am sick I must go to the free clinic or hospital, for I can't afford a doctor. Think of it, I have been a saleswoman thirteen years, in large department stores at that, and am now earning \$7."

There is the store that will retrench during the summer by discharging the higher paid clerks and letting a \$7 girl not only do the work of a \$10 or \$12 woman but substitute two or three persons; the store that keeps an eagle eye on the additional help taken in at Xmas and then lays off older, better paid sales people for new ones at less wages; the store which says to the forty-year-

old saleswoman: "If you're not satisfied with \$7 we can get plenty of young girls for less;" the store that fines so heavily that some of the \$6 cashiers go home with an empty envelope; yet there are also stores which not only consider the health and comfort of their employees by human treatment but what is more pertinent pay them a decent wage. It cannot be said that department stores, which continually change employees are without justification from a business point of view. They assert and justly so, that the girls are inefficient, thoughtless, uninterested. Since general department store work calls for ordinary intelligence and ability only, the complaint must be lodged not against the girls alone, but beyond them to the causes that make them inefficient. Fatigue, under-nourishment and unsatisfactory living conditions are conceded to be causes of inefficiency. Where the blame for these conditions lies has already been made clear.

Gauged by the public's often unconscious demand that sales-clerks be well appearing, we may understand the pressure brought to bear by store managements to compel women to be well dressed. "You've got to look well dressed and be up-to-date if you want to get a job. They won't take you if you look poor and tacky." To paraphrase a Russian proverb "Your reception is decided by your clothes, your God speed by your capabilities." And since their pocket books are limited girls sew far into the night; they launder and mend when they should be resting or playing. St. George's Working Girls' club composed of girls with an income of \$8 found that saleswomen spent in a year for laundering one-half as much as the amount spent for lodging, nearly two-thirds as much as for clothing. This sum was met by an expenditure of sheer physical energy.

Can one just fully appreciate the great temptations, the often met heroic self control of "the inexperienced young women and girls transferred from the meagre life of the tenement, the narrow rigid routine of the elementary school into the midst of luxury such as had not been invented in the days of Louis XV?" How difficult it must be to withstand bargains, when the store permits you an account, to buy only the necessary, not the desired, things. An older woman tells of a young sales lady who said to her,

"Say, Mrs. F., see that grand, pink violet silk kimona reduced from \$10 to \$6.50. I'm crazy to buy it. Think I will, when I get let off the floor." "But child it would take more than your week's pay to buy it," admonished the older woman, "and of little use it would be to you at that. You could'n't wear it outside your room and no one would see it, so think it over and don't buy it this week."

Dress — that necessary element in woman's life — is obtained by some from relatives and friends. "My gentleman friend helps me out with a suit or a pair of shoes. I don't know what I should do otherwise," said one tired young girl. Some get silks and fine linens perhaps by devious ways, but far more like Fannie, an inhibited, strained, little being, plan, buy carefully and make their own clothes. "When Fannie went on her vacation she got three new waists and a skirt. The outfit didn't cost over \$3. She was so disappointed because she couldn't afford to pay a dressmaker \$4 for the sewing, but I says to her, 'Never mind, Honey, just think when you come back you can have the latest fall style,'" tells Mrs. O'Connor, the boarding mistress.

"The happiness and welfare of a girl on her job depend very largely on the local buyer and aisle men. Floormen do importune girls, but if an efficient saleswoman resents it they desist, just as a business policy" a very well informed investigator said. From factory girls, stories are heard of the perpetual goading and insistence of foremen or foreladies. One cut down wages by holding back work, teaching learners wrongly, and forcing them to rip. She even went so far as to ruin garments and charge them to the girls.

Curiously enough few complain of work in itself. Time and again particularly the business or saleswoman cannot contemplate life outside the store or office. "So many married women take jobs from single girls, that I don't think it fair," complained one, an out-of-town woman. "The girls here hate to keep house or look after children. They go back to the stores and get someone to do that." A married woman who is comfortably situated confessed that she goes back every Christmas. "It gives me a little extra money. Then again, it's like the call of the wild, I can't resist it."

The work on their jobs presents not the only difficulties of their position. "Of course men flirt with you over the counters, insinuate, make dates and what not, but a great deal depends upon the girls themselves," the girls reiterated. That white slave traffickers come into the stores to ply their trade — and to the credit of some managements be it said are driven out when detected; that men not only from without, but those employed in stores importune the girls; that some girls drift into illicit relationship because of immediate dire need — hunger or want of a pair of shoes — but a great many others because of the love of finery, craving for pleasure, inability to resist Cerberus headed temptation, and perhaps in the last analysis are driven by the inward loneliness and thirst for affection — all of these things illusively appear and disappear in conversations with the girls.

Harriet Daniels writes that: "In the Social Service work at Bellevue Hospital many unmarried girls who come from factories and domestic service are found in the maternity ward. The shop girl finds her way into the ward for venereal diseases." A physician told of a young girl of sixteen who some time ago left her home, abused and starved, robbed of her weekly wage by her stepmother. She drifted into bad company and is now living with a bartender. He abuses her shamefully although she expects a child. In the shoe factory where she works they pay her \$2.50 a week."

Landladies have repeatedly said "It isn't strange that girls go wrong." "Think of how small their wages are, how often they lose their jobs. Many are so young, the temptation so, so big, and then you can make more money the other way for a while." I often wonder whether there is any difference selling yourself for \$6 a week or \$5 a night," one ancient looking orthodoxly bewigged woman hazarded. And a matron of a Working Girl's Home thinks that on \$5 a week, it is very difficult for adolescent girls to be "straight" and marvels that so many are.

In her book on "A New Conscience and an Ancient Evil," Jane Addams writes. "Although economic pressure as a reason for entering an illicit life has been brought out in court evidence in a surprising number of cases, there is no doubt that it is often exaggerated. A girl always prefers to think that economic pres-

sure is the reason for her downfall, even when the immediate causes have been her love of pleasure, her desire for finery, or the influence of evil companions." Yet, love of pleasure is a most healthy and normal desire and in cities pleasure does cost money. To place a girl in a department store and expect her not to long for finery is like putting water before a thirsty man and objoining him not to drink. "It is in the department store more than anywhere else that every possible weakness in a girl is detected and traded upon — no other place is so easy of access. The department store has brought together as has never been done before in history, a bewildering mass of delicate and beautiful fabrics, jewelry, etc., and in the midst of this bulk of desirable possessions, is placed an untrained girl with careful instructions as to her conduct for making sales, but with no guidance in regard to herself." To work in the midst of such surrounding and not be sorely tried requires ears that hear not, eyes that see not.

Some time ago a hue and cry went up over the country. Did one or two additional dollars a week guarantee a working girl's virtue. To be sure no. The department store girls had been slandered. There was no more prostitution among them than among any other class of women — the leisure class included. Granting this, however, a brief may well be held for the very great pressure, chronic denial and want create in the lives of these girls. For even a drop of water can wear away a stone. While a decent living wage might not assure a girl's virtue, it would remove a very strong contributory, if not basic cause. It would lessen the deadening grind of counting pennies, relieve imposed underfeeding, and over-crowding, give play time, and make the entrance to prostitution more a question of individual volition and attraction.

An attempt has been made to give a glimpse of the working girl not as a case but as a vital part of the social community. Behold the factory girl who suffers from mental stagnation due to the dead monotony of extreme specialization; from nervous strain incident to the piece system; from extremely confining condition; from danger of accident. Look at the department store girl who follows her occupation in a world of externals, although it may be admitted that work is varied, it provides excellent train-

ing in neatness and courtesy, yet she gets the "shop window display" ideal of life. False values are being borne down upon her constantly. She works in an exciting, confusing, highly developed atmosphere of incitement to expenditure, exposed to moral temptations under many forms. Her job is trying on mind and body. The disproportion between what she gets and what surrounds her, might well steep her in the deepest cynicism, if it were not for the optimism that is youth's heritage.

The shop girl, because she earns so little and works so hard lives in congested, frequently unseemly quarters, robbed of all quiet and privacy. Though often cruelly spent at the end of her day's work she comes home to a frugal meal and to more toil. Time and again starved in her play, ignorant, tempted in various ways — what a pitifully strange and widespread social waste she represents. With more than one-half of the wage-earning women investigated in the city making less than \$8 a week, we may well arraign our industries as not being really self-supporting. "In deteriorating the physique, intelligence, and character of their operatives, they are drawing on the capital stock of the nation. In persistently deteriorating the stock they employ, they are subtly draining away the vital energy of the community. They are taking from these workers, week by week, more than their wages can restore them. A whole community might conceivably thus become parasitic on itself or rather upon its future."

APPENDIX 3
REPLIES TO THE LETTER OF INQUIRY CONCERNING
THE COST OF LIVING

[1713]

REPLIES TO QUESTIONNAIRE ON COST OF LIVING

From the many replies to the Commission's letter asking for estimates of the cost of living, the following have been selected. It is believed that these estimates are the best that were submitted. They are, moreover, so chosen as to represent all the typical opinions that were brought to light in the correspondence.

NEW YORK, *May 4, 1914.*

DEAR SIR (MADAM):

The Factory Commission has been asked to report upon the advisability of fixing minimum rates of wages in industries throughout the State. To aid in determining this question, the Commission has gathered data concerning the wages of people in several lines of work. It is now desirous of learning from persons in a position to judge, what income is necessary to maintain workers adequately in your community. You are therefore urgently requested to state what amount on the average for a week or a year, is required in the locality in which you reside or are familiar with, to support in simple decency and working efficiency:

1. A young woman of sixteen to eighteen years living independently.
2. A young man of sixteen to eighteen years living independently.
3. An adult woman living independently.
4. An adult man living independently.
5. A normal family containing one man at work, one woman doing her own housework and three children under fourteen at school.

If you cannot make a statement with regard to all of these, will you please reply for the cases with which you are familiar.

We should be glad to have you specify also, if you find it possible to do so, the items of expense for lodging, food, clothing, insurance, recreation, savings, etc.

If you find it desirable to differentiate standards for certain classes of persons or special kinds of employment, please make such designations.

Assuring you that your contribution will be of value to the Commission in deciding this important question, and thanking you for your co-operation, I am

Yours very truly,

ROBERT F. WAGNER,
Chairman of the Commission.

REPLIES FROM NEW YORK CITY

STATEMENT OF KATHARINE ANTHONY

Investigator and Publicist, New York City

In the district known as the Middle West Side of New York I happen to have some acquaintance with housing conditions and the cost of living. A study of income statistics which I made in that neighborhood gave me considerable opportunity for observation. The families of my study, however, do not correspond with any of the five classes of workers listed in your letter. The group which most nearly met the definition of a normal family contained in your letter was the group in which both father and mother worked and all of the children were below working age. There were ninety-six of these families, averaging in size 4.96 members, and receiving an average yearly income of \$705.12. But these parents were not maintaining homes which came up to the ordinary standards of comfort and decency. It may be urged that if the \$13.50 had been earned by the husband alone and the wife had spent her full time on her own housekeeping, the standard of living in these homes would have been raised. This is only partly true. The women can not by their own efforts improve housing conditions which are beyond their control. They can only pay more rent for a better flat in a better street, and in order to be able to do this, they must themselves go out and earn. I should say, then, that on the West Side, where prices are as low as anywhere in the city and rents are correspondingly cheap, the normal family of two adults and three children would require a minimum income of \$20 a week.

The young woman living independently must pay on the West

Side an initial expense of \$2.50 or \$3 for her room. Adding to this expense for lodging, the necessary items for food, clothing, carfare, insurance, recreation, and savings, and reducing each of these items to a minimum, I should suggest \$10 a week for a minimum income. For the woman over eighteen I should suggest \$12 as a minimum. For the young man under eighteen and the young man over eighteen, living independently, I should suggest the same amounts, \$10 and \$12, respectively.

STATEMENT OF SOPHIA BERGER

Superintendent Young Womens Hebrew Association, New York City

A young woman of sixteen to eighteen years of age, living independently, needs a salary of \$9.50 a week. If she is living in a home for working girls this can easily be reduced by \$2. The data for the above are as follows:

| | |
|--|---------------|
| Board and lodging..... | \$4 00 |
| Laundry..... | 40 |
| Carfare to and from work..... | 60 |
| Lunches..... | 90 |
| Savings..... | 50 |
| Clothing and toilet articles..... | 1 50 |
| Insurance, recreation, additional carfares, club dues, gifts, doctors' and dentists' fees, postage, stationery, telephone calls, education, newspapers, and other incidentals..... | 1 60 |
| Total..... | <u>\$9 50</u> |

I find that most private families do not give a girl her lunch nor the use of the laundry. Both of these items as well as the amount spent for recreation and incidentals are greatly reduced if a girl is living in an institution.

An adult woman living independently, can get along at the same rate, except for the fact that it does not allow sufficient for savings to enable her to be independent after she has lost her abilities of obtaining and keeping any other than a low salaried position.

Of course I know of girls who get along on less than \$9.50 but they make many sacrifices to do so, or are helped by relatives.

STATEMENT OF FRANK J. BRUNO

Superintendent District Work, Charity Organization Society, New York City.

It is to be held in mind that our schedules are made up from families known to us and under our care and they are therefore at a minimum. We have carefully compared our figures with the budgets which we are accustomed to make up for families where regular assistance is given, and have made allowance for the difference which should exist between the minimum income for immediate necessities and what a family can live upon with reasonable expectation of independence.

It is expected, however, that such families shall use all the resources of a community for its recreation and medical care, such as parks, playgrounds, free concerts, clinics, and hospital resources.

For a normal family consisting of a man at work, a woman not at work, and three children under fourteen at school, we submit that the minimum income should be \$15 a week, distributed as follows:

| | |
|-----------------------|----------------|
| Rent | \$3 50 |
| Food | 6 00 |
| Fuel and lights | 1 00 |
| Insurance | 50 |
| Clothing | 3 00 |
| Incidentals | 1 00 |
| Total | <u>\$15 00</u> |

By living in less desirable rooms, rent could be cut to \$3. Food might safely be cut to \$5.50; insurance at thirty-five cents a week would cover the family, and clothing might be cut to \$2. Making no allowance for incidentals, this would bring the family budget within \$12 a week — a figure within which many American families do manage to live. By making radical cuts in the items for food and clothing families of Italian laborers maintain themselves successfully sometimes on a weekly income as low as \$9.

We do not find it possible to distinguish between a young woman or sixteen or eighteen, living independently, and an adult woman

living independently. A girl or woman employed in an office or store, living in a woman's hotel or boarding-house, can support herself independently on \$8.50 a week, distributed as follows:

| | |
|-------------------------|---------------|
| Room and board | \$4 50 |
| Lunch and carfare | 1 50 |
| Clothing | 2 00 |
| Incidentals | 50 |
| Total | <u>\$8 50</u> |

A factory worker could cut down expenses for clothing at least one-half. An older woman, by doing light housekeeping, could reduce her expenses to \$6 a week, and many such instances are known to us.

For a young man or an adult man living independently, I should submit two budgets, one for a laborer earning \$9 a week, distributed as follows:

| | |
|-------------------|---------------|
| Room | \$2 00 |
| Food | 4 50 |
| Clothing | 1 00 |
| Laundry | 50 |
| Incidentals | 1 00 |
| Total | <u>\$9 00</u> |

and another for a clerk in a store for \$12 a week, distributed as follows:

| | |
|-------------------|----------------|
| Room | \$3 00 |
| Food | 5 00 |
| Clothing | 1 50 |
| Laundry | 50 |
| Incidentals | 2 00 |
| Total | <u>\$12 00</u> |

I am not anything like so sure of the clerk's budget as I am of the laborer's. If either was inclined to smoke or drink beyond the limit of the allowance for incidentals, it would probably come out of the food allowance which is fairly liberal in both instances.

STATEMENT OF BAILEY B. BURRITT

General Director, New York Association for Improving the Condition of the Poor, New York City

I consider \$8.50 per week to be the minimum amount on which a young woman from sixteen to eighteen years of age can support herself in what you please to term "simple decency." This amount should be distributed approximately as follows:

| | Per Week |
|--------------------------|----------|
| Room and board | \$6 00 |
| Laundry | 50 |
| Carfare | 75 |
| Insurance | 10 |
| Clothing | 50 |
| Recreation | 25 |
| Sundries | 40 |
| | <hr/> |
| | \$8 50 |

The above item for board is based on the assumption that she takes all her meals at her boarding house. If it is necessary for her to take two of the three meals away from the boarding house, as it often is, I should add \$1 to the item of room and board, making a total of \$9.50 per week.

You understand of course that these figures are for a girl who is entirely dependent on her own earnings for support. I should not be inclined to allow any more for a young man of sixteen or eighteen years than for a woman, that is, provided the woman is working each day.

Further, I should allow the same amount for an adult woman and an adult man living independently as for the younger woman and the younger man.

Now, as to the requirements for a normal family, consisting of a man at work, the wife at home doing her own housework, and

three children under fourteen in school, I would submit the following budget which is one which we follow in our Association when circumstances in a family of this kind, such as temporary or permanent disability of the breadwinner, make it necessary for the family to depend upon us for income.

| | Per Month |
|---|--------------------|
| Rent | \$12 50 |
| Food | 29 48 |
| Fuel and light | 2 00 to \$4 00 |
| Clothing | 8 00 to 10 00 |
| Car fares or recreation | 4 00 |
| Sundries, household furnishings, etc. | 4 00 |
| Insurance or savings | 2 00 |
| | <hr/> |
| | \$61 98 to \$65 98 |

STATEMENT OF MARGARET F. BYINGTON

Superintendent, Department of Service and Relief Brooklyn Bureau of Charities

The only contribution that we can possibly make is to tell you what we consider a possible standard of living as a basis for giving relief to dependent families. This is obviously below the normal, but for this very reason it may be significant as indicating how much money it takes to provide even this minimum standard for dependent or semi-dependent families. As you will see, such a budget makes absolutely no provision for recreation, medical care, or education, all of which it is assumed in these families will have to be provided by public institutions, or by such organizations as settlements. Neither is there allowance for saving, other than the meagre provision of burial insurance. I have also been unable to make more than a very vague estimate of the amount necessary for clothing. As you of course realize, there is no one item which is so difficult to summarize for the year and we therefore make no effort to do so in planning a budget for the families under our care. We buy what is necessary when it is necessary and it is impossible for me to get from our records any statement of the amount required for this particular purpose.

I am not at all sure that these figures will be of any value to you but I was very glad to attempt to sum up our experiences as to the cost of providing a minimum standard for families we are helping.

Budget for family consisting of one man at work, one woman doing her own housework and three children under fourteen at school.

| | Per Week |
|----------------------------|----------|
| Rent | \$2 75 |
| Food | 6 00 |
| Fuel and light | 1 00 |
| Burial insurance | 40 |
| Clothing | 2 00 |
| | <hr/> |
| | \$12 15 |
| | <hr/> |

STATEMENT OF JONATHAN C. DAY

Superintendent Labor Temple, New York City

I am going to give you data which I procured very carefully.

My own impression is that the very lowest wage which would give a decent living is recorded in these statistics.

For the young woman between sixteen and eighteen I selected two that are typical. One seventeen and one eighteen years of age. You will note that the requirement for one is \$9.10 and the requirement for the other is \$11. But these are the meagre necessities. I think that each should be at least \$12.50 per week.

For the adult young woman living independently her bare necessities require \$10.10 per week. But you will note that there is no provision made for sickness or insurance. It seems to me that \$12.50 would be the very lowest possible.

For the young man eighteen living independently he states that \$10.60 are his weekly requirements. To cultivate any thrift at all he could not get ahead on less than \$12.50.

For the one adult young man you will note that he expends \$9 per week, but these are the bare necessities. The other adult young man living independently expends \$13.10. He thinks this is the least one can live on. It seems to me that \$15 would be a decent minimum in view of the necessary expenditures here recorded.

The case of the man with a family of a wife and three children expends \$60 per month. He thinks that \$15 is the least possible that a man with a wife and three children can live on in New York.

My own persuasion is that there ought to be a minimum of at least \$18, preferably \$20 for such cases. Together with my own comments I am submitting data to you just as I procured them. These are typical cases.

Young Woman Seventeen Years Old

| | |
|---|--------|
| For room and board with East Side family in a tenement per week | \$4 50 |
| For clothing and laundry | 2 20 |
| For car fares | 60 |
| For incidentals | 1 00 |
| For amusements | 50 |
| | <hr/> |
| | \$8 80 |
| | <hr/> |

Young Woman Eighteen Years Old

| | |
|---|---------|
| For board in working girls hotel per week | \$6 00 |
| For clothing and laundry | 2 50 |
| For car fares | 60 |
| For incidentals | 1 00 |
| For amusements | 90 |
| | <hr/> |
| | \$11 00 |
| | <hr/> |

Adult Young Woman Living Independently

| | |
|---------------------------------------|---------|
| For room and board per week | \$6 00 |
| For clothing and laundry | 2 25 |
| For care fares | 60 |
| For incidentals | 1 50 |
| For amusements | 75 |
| | <hr/> |
| | \$11 10 |
| | <hr/> |

Young Man Living Independently Eighteen Years Old

| | |
|----------------------|---------|
| For room rent | \$2 00 |
| For meals | 5 25 |
| For car fares | 60 |
| For clothes | 2 00 |
| For amusements | 50 |
| For church | 25 |
| | <hr/> |
| | \$10 60 |

Young Man Living Independently Nineteen Years Old

| | |
|----------------------|--------|
| For room rent | \$1 50 |
| For meals | 5 00 |
| For clothes | 1 50 |
| For laundry | 50 |
| For amusements | 40 |
| For church | 10 |
| | <hr/> |
| | \$9 00 |

Man with Wife and Three Children

| | |
|-------------------------|---------|
| Rent | \$15 00 |
| Food, \$1 per day | 30 00 |
| Clothes | 8 00 |
| Doctor bill | 2 00 |
| Church | 2 00 |
| Amusement | 1 00 |
| Gas | 1 00 |
| Incidental | 1.00 |
| | <hr/> |
| | \$60 00 |

Adult Young Man

| | |
|----------------|--------|
| Room | \$2 00 |
| Board | 6 00 |
| Car fare | 60 |

| | |
|-----------------|---------|
| Clothes | \$2 00 |
| Laundry | 50 |
| Amusement | 1 00 |
| Church | 50 |
| | <hr/> |
| | \$12 60 |

Married Man with Two Children

| | |
|-------------------------------|---------|
| Rent | \$12 00 |
| Food (75 cents per day) | 22 50 |
| Clothes | 7 00 |
| Doctor | 4 00 |
| Gas | 1 00 |
| Church | 1 00 |
| Amusement | 1 00 |
| Incidentals | 2 00 |
| | <hr/> |
| | \$50 50 |

STATEMENT OF LOUIS I. DUBLIN

Statistician, Metropolitan Life Insurance Company, New York City

The following schedules are our estimates of the annual budget required by the several classes (1-4) enumerated in the questionnaire of the Commission:

| | Class 1 | Class 2 | Class 3 | Class 4 |
|-----------------------------------|------------|------------|------------|------------|
| 1. Board and lodging | \$260 | \$260 | \$300 | \$300 |
| 2. Clothing | 75 | 50 | 100 | 75 |
| 3. Medical care | 25 | 25 | 25 | 25 |
| 4. Amusement and education | 40 | 40 | 40 | 40 |
| 5. Car fare and incidentals | 40 | 40 | 40 | 40 |
| 5. Insurance and saving.... | 30 | 30 | 40 | 40 |
| | <hr/> | <hr/> | <hr/> | <hr/> |
| Total | \$470 | \$445 | \$545 | \$520 |
| | <hr/> | <hr/> | <hr/> | <hr/> |
| Average per week | \$9 | \$8.55 | \$10.50 | \$10 |

Class 5, which covers the normal family of one man at work, one housewife and three children under fourteen, would, it seems to us, be decently supported on an income of \$1,200 distributed as follows:

| | |
|--------------------------------------|----------|
| 1. Food | \$500 00 |
| 2. Rent | 240 00 |
| 3. Clothing | 200 00 |
| 4. Fuel and light | 45 00 |
| 5. Medical care | 50 00 |
| 6. Amusement and education | 40 00 |
| 7. Car fare and incident | 50 00 |
| 8. Insurance and saving | 75 00 |

Total \$1,200 00

Weekly average, \$23.

These figures are submitted with the knowledge that they represent only a personal impression. They do not arise from any statistical considerations which would give them any special merit. It may be said with considerable justice that in making such estimates of a normative income, one man's opinion is as good as another.

I might add it would have been a much easier task to have submitted schedules representing the actual expenditures of certain individuals and families, but we realize that such figures represent a standard of living which is not normative and, therefore, not of particular interest to the Commission in its present inquiry.

STATEMENT OF SARAH ELKUS

Head of Women's Work, Educational Alliance, New York City

I would state that in this community a young woman of sixteen to eighteen years who is either a clerk, stenographer, saleslady or factory worker can live independently on \$9 per week which would allow \$5 per week for board and lodging, \$2 per week for clothing, \$1 per week for laundry, car fare and recreation, \$1 per week for saving.

A young man of the same age would require the same amount.

An adult man or woman, living independently, in order to save \$2 a week instead of \$1 would have to earn \$10 per week, and a normal family containing one man at work, and woman doing her own housework and three children, can live decently on \$15 per week, paying \$15 per month for rent.

A young woman can live at the Junior League Hotel, 541 E. 78th street, or houses similar to that, paying \$4.50 for board and lodging, excluding lunches, provided she shares her room with another young woman.

STATEMENT OF LEE K. FRANKEL

Sixth Vice-President Metropolitan Life Insurance Company, New York City

I take it you are acquainted with the report of the Committee on Standard of Living of the New York State Conference of Charities and Correction published in 1906. I was the Chairman of this Committee and in the report which was presented, the Committee was of the impression that in the city of New York at that time a minimum of \$800 per annum was necessary for a family such as mentioned in question 5 of your letter, to live in any degree of comfort and decency.

It cannot be denied, however, that there are many families in the city of New York who are living on an income of less than \$800 per annum. It is an open question whether these families are not living in a fair degree of comfort. The studies of the Committee above referred to were necessarily limited to few families and it is possible that no definite conclusion can be arrived at with respect to a city as large as New York through a study of a comparatively limited number of cases.

I think it may safely be said that to the Committee it was evident that other factors besides the purely material ones had to be taken into consideration in attempting to set up a standard of the cost of living. One family may live well and quite comfortably on \$800 per annum and even be able to save on this amount. Another family will find it difficult to make ends meet. So much depends upon the personality of the family. The training which the members have had in thrift and foresight and the education

of the parents and the children in household economy play very important parts in the ability of a family to live within a certain definite income.

I know of no statistics nor studies that will give any valuable data of the amounts required by a young woman of sixteen or eighteen, or a young man of sixteen or eighteen to live independently. I note in your letter that the Commission has gathered data concerning the wages of people in several lines of work.

I believe it would be particularly valuable if the Commission can find the opportunity of making an independent study of the costs of living for the groups of individuals referred to in your questions 1 and 4. Until such definite and accurate studies have been made it will be very difficult to decide what should be the minimum rate of wage.

STATEMENT OF R. FULTON CUTTING
Business Man, New York City

My belief that a young woman from sixteen to eighteen years of age living independently requires a minimum of \$8.20 in order to enable her to live in "simple decency and working efficiency."

| | Per week |
|--------------------------|----------|
| Room and board | \$6 00 |
| Laundry | 50 |
| Car fare | 60 |
| Clothing | 50 |
| Sundries | 60 |
| | <hr/> |
| | \$8 20 |

The estimate I would put upon the cost of living under similar conditions for a normal family comprising husband and wife and three children under fourteen years of age, is as follows:

| | Per month |
|----------------|-----------|
| Rent | \$13 00 |
| Food | 30 00 |

| | |
|---|---------|
| Fuel and light | \$3 00 |
| Clothing | 10 00 |
| Car fares or recreation | 3 00 |
| Sundries, household furnishings insurance or savings, etc. | 7 00 |
| | <hr/> |
| | \$66 00 |

STATEMENT OF CAROLINE GOODYEAR

District Secretary, Charity Organization Society, New York City

(1) A single furnished room, with window to the open air, in a clean and well kept house in unobjectionable neighborhood, suitable for occupancy of a young girl living independently, is, I think, scarcely to be had in this city for less than \$3 to \$4 a week, and many rooms for which much higher prices are charged fail to fulfill all of these requirements. In well-run houses, it is particularly difficult to obtain the privilege of "light-house-keeping," which might otherwise considerably reduce the expense of food. For restaurant meals or boarding-table sixty cents a day or \$4 a week is probably none too much to allow for a satisfactory quantity and variety. For clothing, \$40 a year would be a minimum estimate, where all articles must be purchased ready made. This could be reduced about 20 per cent. if the young woman has time and taste for home manufacture, but it is open to question whether this would usually be true economy. At least thirty cents a week should be allowed for laundry work. Granted suitable companionship, the item of recreation need not involve any serious expense, but \$1 a month for trolley-rides and occasional treats would seem a minimum to introduce variety into the manner of life under consideration, and to this should be added probably \$5 for the extra expenses involved in a fortnight's vacation in summer. Medical and dental care are estimated at \$6 a year and incidentals at \$18. Leaving out of account the item of savings and the demands of family and charity, \$9 a week would seem to me to afford a minimum standard. This could of course be very decidedly reduced if several young women of congenial temperament shared a flat and kept house together and this ap-

proach to a normal family life would have other advantages besides economy — but this is perhaps aside from the question. Working-girls' Homes have been ignored in this calculation.

(2) A young man's expense for rent might be somewhat smaller, but the items of food, clothing, recreation and incidentals would each be greater (even leaving tobacco out of account). I think the net increase would necessarily be as much as \$1 a week.

(3) The budget of an adult woman is estimated at somewhat less than that of a girl in her teens in the items of rent, food and clothing, on the assumption that her tastes and desires will have sobered down a bit and that she will have somewhat more physical and moral resistance to untoward influences. The item for recreation should not be diminished. A total reduction of fifty cents a week is suggested as possible.

(4) The variation in the budget of an adult man from that of a youth, I do not feel prepared to estimate. It is obvious that responsibilities for others and the necessity of provision for the future would properly weigh heavier upon the adult, whether man or woman.

(5) For the "normal family" described the following budget is suggested as a minimum:

| | Per month |
|-------------------------------------|----------------|
| Rent | \$20 00 |
| Food | 30 00 |
| Clothing | 13 00 |
| Fuel and light | 3 25 |
| Recreation | 3 00 |
| Car fares and incidentals | 9 00 |
| Insurance | 1 75 |
| Total | <u>\$80 00</u> |

or about \$18.50 per week. Here again the items of savings and of obligations external to the family have been disregarded and no allowance has been made for illness or for periods of idleness on the part of the wage-earners.

The above is submitted with considerable diffidence. The fact is recognized that many families maintain themselves in apparent decency and working efficiency on a smaller income, but I have been unable to figure out how they do it and I still question whether close observation of their individual cases would not usually reveal undesirable results broadly if not specifically traceable to the apparent economies.

STATEMENT OF TIMOTHY HEALY

International President, Stationary Firemen Brotherhood, New York City

1. A young woman sixteen to eighteen years living independently, \$12 a week.
2. A young man sixteen to eighteen years living independently, \$15 a week.
3. An adult woman living independently, \$15 a week.
4. An adult man living independently, \$18 a week.
5. A normal family containing one man at work, one woman doing her own housework, and three children under fourteen at school, \$25 to \$30 a week.

The foregoing estimates are for the Borough of Manhattan, New York City.

My conclusions as above mentioned are based on the following items of general expenses:

First. Cost of room for persons living independently, \$3 to \$5 weekly; meals, 75 cents to \$1 a day; carfare, 70 cents weekly; laundry, 50 cents to \$1 weekly; church contributions and recreation, 50 cents to \$1 weekly; wearing apparel, 75 cents to \$1 weekly; medical and dental attention, 25 cents weekly average.

Second. Cost of maintaining in reasonable comfort a family of five persons, the children to have the advantages of a high school education, may be accomplished through careful management on \$25 to \$30 weekly, allowing \$25 to \$28 a month for house rental.

STATEMENT OF J. M. HIXON

General Agent, "The Brooklyn Association for Improving the Condition of the Poor"

We have held a conference of the workers of this society and talked over the five questions that were sent to this office May 15.

The workers visiting the homes of the people we are in touch with feel that no young man or woman, sixteen to eighteen years of age, can live independently on less than \$10 a week, they requiring just as much for living expenses as an adult man or woman living independently would.

A normal family consisting of five persons would need about \$15 dollars a week. We have two families of nine people where the man has an income of \$12 a week. One woman manages very nicely and they really live quite comfortably. The other family the woman does not know how to manage and the result is they do not get as much out of the money as the first woman mentioned does.

It would be impossible for us to specify items of expense, for lodging, food, etc., as we have neither time nor the workers to devote to such a study. One of the greatest things needed in helping these people to have a standard of living is to teach the women and children how to buy foods as well as how to prepare them that they may be nutritious and tasty.

STATEMENT OF EDNA M. KLAER

Secretary of Madison House, New York City

1. Young woman living independently should receive \$9 weekly for fifty-two weeks.
2. Young man \$8 weekly for fifty-two weeks.
3. Adult woman \$9 per week for fifty-two weeks.
4. Adult man \$7 weekly for fifty-two weeks.
5. Normal family \$25 per week.

Division of income — for lodging, 20 per cent.; clothing, 14 per cent.; food, 44 per cent.; miscellaneous, 22 per cent., to include insurance, recreation, savings, etc.

STATEMENT OF JAMES C. KUHN

Manufacturing Confectioner, New York City

I can only answer the five inquiries in a general way, as we have no one case that fits exactly to questions. I have about eighty Italians in my employ, none living independently, all having homes or living with relations or friends. Several young men

who are living together, claim that their board and room and laundry cost them \$2.50 each per week. One woman, living with friends, is saving money on \$6.50 per week. One married woman with two boys ten and twelve years old, husband working elsewhere, wages \$12 per week, invested \$200 in real estate. We have eight people who are getting \$5.50 and \$6 per week, they are green help lately come to this country.

I think it would work a great hardship on the poor and inefficient to establish a minimum wage, good help is scarce, poor help is plenty and nearly always out of work. Factories cannot run as a benevolent institution, although I try to practice charity myself. The most impractical thing that could happen to the poor would be a minimum wage, as they need what little they can get, and I think as a rule all reputable factories are paying all, if not more than they earn.

STATEMENT OF GEORGE LANDY

Secretary of Madison House, New York City

We have asked a number of the people who come under the five categories of your circular letter of the 4th, in regard to the standard of living, for their budgets. As you doubtless know, the folks down here have no real budgets, but this is the result of about ten inquiries in each class.

1. Young woman of sixteen to eighteen years, living independently, \$7.
2. Young men of sixteen to eighteen years, living independently, \$6 to \$7.
3. An adult woman living independently (without dependent children), \$7 to \$8.
4. An adult man living independently (without dependent children), \$7 to \$8.
5. A normal family containing one man at work, one woman doing her own housework, and three children under fourteen years of age, at school, \$13 to \$15.

These figures represent averages for about ten in each group, a total of forty-seven inquiries being made.

I have realized the importance of getting these figures accurate, and I believe that they are truly representative of normal conditions in this neighborhood.

STATEMENT OF ALGERNON LEE

Secretary of Rand School of Social Science, New York City

I submit an estimate as to the weekly income required to support a single person, living independently, in bare decency and efficiency. In my opinion there is no reason for distinguishing the first four cases. I do not believe females need less than males, nor "young persons" less than adults. The fact that men usually get higher wages than do women and boys, and these higher wages than do girls, is in my opinion due, not to the difference of physiological requirements, but to a difference in ability to assert and defend their interests. My estimate, then, is as follows:

| | |
|--|----------------|
| Board and lodging..... | \$8 00 |
| Clothes, with repairs and laundry..... | 1 50 |
| Carfare, papers, postage and incidentals..... | 1 00 |
| Amusement, recreation, bath and gymnasium..... | 50 |
| Medical care and insurance against sickness..... | 50 |
| Provision against unemployment..... | 1 00 |
| Total..... | <u>\$12 50</u> |

I am perfectly aware that the large majority of the wage workers get less than this amount. I am also convinced that the large majority are unable to maintain themselves in "simple decency and working efficiency."

The last item in my estimate is based on a supposition that the wage worker may fairly expect to be "out of a job" four or five weeks in the year, excluding time lost through sickness.

STATEMENT OF AB. LIPPMAN

Brooklyn, N. Y.

I will first take the case of a young man between the age of sixteen and eighteen. The minimum salary which he should receive should be \$10 a week. The following table will show how I estimated that amount.

| | Per week |
|----------------------|---------------|
| Clothing..... | \$0 60 |
| Room, furnished..... | 2 00 |
| Food..... | 5 00 |
| Car fare..... | 60 |
| Laundry..... | 40 |
| Total..... | <u>\$8 60</u> |

Subtracting \$8.60 from \$10 will leave \$1.40. From this remainder he would have to pay for his recreation, and various other incidentals which would allow him about fifty to seventy-five cents which he could save and use in emergency cases. I hardly think the above expenses can be lessened. I have figured very closely. Take the item clothing for instance. I will show you how I obtained the above amount.

Taking for granted that he already possesses one suit, he would have to have an additional suit every year. Such a suit would cost about \$8. In addition, two pair of shoes would be necessary. At \$2.75 per pair would make that item \$5.50. I doubt very much if a pair of shoes can be purchased for less than that amount. Six shirts would not be too many for a year's wear. At 75 cents each would make that amount \$4.50. Four suits of underwear at 75 cents would be \$3. One dozen socks can be purchased for about \$1.50. Neckwear would amount to about \$1.50. One dozen collars cost \$1.50. Two hats a year would be necessary, which would amount to about \$2. One dozen handkerchiefs can be bought for \$1.20. This makes a total of \$27.70 for a year. I have allowed 60 cents per week or \$31.20 per year, a difference of \$3.50. This amount I have allowed for wear and tear, and for other small items in clothing which might be necessary.

Five dollars for food a week is not too much. It amounts to about seventy-two cents per day, or about twenty-four cents per meal. I cannot see how a young man living independently can live decently on less than the above amount mentioned.

The expenses of an adult will of course be somewhat more. The minimum weekly salary allowed should be about thirteen or fourteen dollars. I will again show a table as in the above.

| | Per Week |
|---------------------------|---------------|
| Clothing | \$0 80 |
| Room, furnished | 2 00 |
| Food | 5 00 |
| Fare | 60 |
| Laundry | 60 |
| Total | <u>\$9 00</u> |

This as you see will leave him a balance of \$4 or \$5 per week. Out of this amount he would have to pay for his amusement, which would amount to about one dollar a week. Then there would be sundry expenses which arise and cannot be figured. He could probably save two or three dollars per week; this money being used in case of emergency. Then there is old age to be considered. Some of this saving would probably go to that purpose.

The amount to be spent for recreation can not be limited to merely one dollar per week. During the summer months he would require considerably more than that. My statement allowing only one dollar meant that that was the minimum for that purpose; and not that recreation could be had for that amount.

The expense of a married man is considerably more than that of an adult unmarried. A married man should have as a minimum twenty-four or twenty-five dollars per week. I will again endeavor to compute a table as in the previous cases, showing how I obtained that amount.

| | Per week |
|--|----------------|
| Clothing (for entire family) | \$2 00 |
| Rent | 4 00 |
| Food | 10 00 |
| Gas, fuel, etc. (average per year) | 1 00 |
| Recreation | 2 00 |
| Insurance | 1 00 |
| Savings | 2 00 |
| Man's personal expenses, including lunch, fare, etc. | 2 00 |
| Total | <u>\$24 00</u> |

The above expenses cannot be reduced in any way. I have figured very closely. The cost of living is very high at present. I am not at all sure that ten dollars would be a sufficient allowance for food. Still they can probably get along on that.

STATEMENT OF OWEN R. LOVEJOY

General Secretary, National Child Labor Committee, New York City

I regret that I cannot feel competent to answer these questions with any degree of accuracy because of my limited knowledge of the mode of living of those who would be likely to be affected by such a standard as here suggested. I would answer however, as follows:

1. Minimum weekly wage of a young woman sixteen to eighteen years, living independently, \$12.
2. Minimum weekly wage of a young man sixteen to eighteen years, living independently, \$12.
3. Minimum weekly wage of an adult women living independently, \$15.
4. Minimum weekly wage of an adult man living independently, \$18.
5. Minimum weekly wage of a normal family, \$25.

STATEMENT OF SOLOMON LOWENSTEIN

Superintendent, Hebrew Orphan Asylum, New York City

Our experience in this institution relates mainly to boys and girls between the ages of fourteen and eighteen years, practically the first two classes mentioned in your letter.

In my judgment, in order to meet expenses for board and lodging, laundry, carfare, lunch, clothing, and a minimum recreation without allowing for savings other than those required for clothing, a boy or girl of this age requires an income of from \$8 to \$9 per week when living independently. This is estimated on the basis of the following budget:

Board and lodging (without lunch), \$4 to \$5 per week; carfare, 60 cents per week; laundry, 50 cents to \$1 per week; luncheon, \$1.20 per week; and the remainder for the other items specified.

STATEMENT OF MAUD NATHAN

President of The Consumer's League, New York City

To quote from the report of the Chairman of the Investigating Committee in the annual report of 1913: "The Consumers' League believes the lowest living wage for self-supporting women and girls, who live in New York City, is nine dollars (\$9) per week." This has been the minimum fixed by the Consumers' League after considerable research and study of this problem.

The question of a minimum wage for men has never been considered by this League and we therefore are unable to pass judgment on that.

The following is an annual budget of one sales woman in New York who earned \$5 per week:

| | |
|---|----------|
| Board and room, at \$3 a week..... | \$156 00 |
| Lunches, at 75 cents a week..... | 39 00 |
| Carfares, at 40 cents a week..... | 20 80 |
| 1 suit..... | 12 00 |
| 2 dresses, at \$5 and \$4.50..... | 9 50 |
| 1 hat, at 49 cents; 1 at \$1..... | 1 49 |
| Woolen underwear, at 59 cents..... | 1 18 |
| 2 pair gloves, at 25 cents..... | 50 |
| 24 pair stockings, at 12½ cents..... | 3 00 |
| 2 pair corsets, at \$1 and \$1.50..... | 2 50 |
| 3 pair shoes at \$2..... | 6 00 |
| 2 petticoats, at 45 cents, black and white..... | 90 |
| 2 flannel petticoats, at 27 cents..... | 54 |
| 6 corset covers, at 10 cents..... | 60 |
| 5 white shirt waists, 4 at 69 cents; 1 at 77 cents... | 3 53 |
| 1 black shirt waist..... | 1 59 |
| Sickness, insurance, pleasures, all incidentals..... | 87 |
| Total..... | \$260 00 |

The inadequacy of such a budget is obvious, but this League feels that there are hundreds of girls living in New York on \$5 per week and even less. In calculating on \$9 per week as a living wage, the League makes allowance for something for saving and recreation.

STATEMENT OF LEILA T. NEWCOMB

Director of Girls' Clubs, New York City

My contribution may not be very valuable, for it is not scientific, however I am glad to give it for what it is worth.

All winter we have been discussing the question of minimum wage in my girls' clubs, composed largely of Irish and German-American girls of very good grade and they are very decided in their convictions that no girl could live decently and comfortably on less than \$12 a week be she under or over eighteen, but they are sure that she could do it on that. They are equally sure that no family of five such as you mention can live decently on less than \$18 a week and though they feel that to be low they know families who are doing it.

I feel that expresses very fairly the convictions of the better grade girl in this vicinity, girls who make their own clothes and are capable in every way.

STATEMENT OF JOHN P. PETERS.

St. Michael's Church, New York City

I have caused inquiries to be made through our workers among the people with whom we come in contact. They report as follows:

A woman living independently, minimum wages \$8. This is true whether it be an adult woman living independently or a young woman from sixteen to eighteen living independently.

A man living independently, minimum wage \$10. This is also true whether it be an adult man living independently or a young man from sixteen to eighteen.

For a normal family, consisting of one man at work, one woman doing her own house work and three children under fourteen at school, \$18. This allows for \$17 or \$18 rent per month for a four or five room apartment and insurance of ten cents apiece weekly. This is based on what can be and is done in our neighborhood. Food for this family would cost at least \$7 a week. These figures are from practical life of people looking well fed and in good mental condition, thrifty and never wasting time or money.

STATEMENT OF THOMAS J. RILEY

General Secretary of Brooklyn Bureau of Charities, Brooklyn, N. Y.

In reference to questions No. 1 and No. 2. Budget on a minimum rate would be as follows:

| | Per year |
|--|----------|
| Board | \$260 00 |
| Car fare | 31 00 |
| Lunches | 46 80 |
| Clothing | 60 00 |
| Life insurance | 5 00 |
| Recreation and miscellaneous | 25 00 |
| | <hr/> |
| | \$427 80 |

Barest minimum add 10 per cent.—\$470.

On \$10 per week salary there would be a margin of over \$100 for saving and provision in case of illness.

In reference to questions No. 3 and No. 4. The budget would be the same as above.

Budget for a normal family:

| | Per year |
|--|----------|
| Food | \$385 84 |
| Rent | 144 00 |
| Life insurance | 18 20 |
| Clothing | 150 00 |
| Fuel and light | 30 00 |
| Car fares | 31 20 |
| Sundries | 10 00 |
| Recreation and miscellaneous | 25 00 |
| | <hr/> |
| | \$794 24 |

The minimum wage to provide for the above budget would be \$15 per week. Eighteen dollars per week would leave a margin for saving and illness.

STATEMENT OF PETER ROBERTS

Secretary of International Committee Y. M. C. A., New York City

Following are two estimates made by a cousin of mine, who has lived for many years in the city of New York. She says that the National City Bank, the Wood Harmon Co., and the Jackson Real Estate Co., do not pay a business woman less than \$12 per week, on the ground that she needs that amount to live on. She also adds that business women have two weeks' vacation and usually pay a minimum of \$6 a week when two occupy the same room, and an item of fifty cents from the savings in the bank of each week should be appropriated.

One of the girls in our building writes as follows: "I should say that \$10 a week would be the minimum salary for a girl to support herself in simple decency, and even then she would have to secure the most reasonable board. In fact a girl living alone in New York ought not to be expected to live on less than \$12 a week, though, of course, many live on much less, but how they manage it, I don't see."

The following is an estimate given by a young man who is also in this building:

| | |
|----------------------------------|---------|
| Room | \$3 00 |
| Board, two meals a day | 4 00 |
| Luncheon | 75 |
| Candy | 60 |
| Church | 50 |
| Stamps, etc. | 30 |
| Insurance | 25 |
| Amusement | 1 00 |
| Clothing | 2 50 |
| | <hr/> |
| Total | \$12 90 |

This young man says that a young man cannot get along very well without \$15 a week.

STATEMENT OF MYRON W. ROBINSON
President, Crex Carpet Company

| | |
|--|---------|
| The salary in question No. 1 should be..... | \$10 00 |
| The salary in question No. 2 should be..... | 12 00 |
| The salary in question No. 3 should be..... | 12 00 |
| The salary in question No. 4 should be | 15 00 |
| The salary in question No. 5 should be..... | 25 00 |

In stating this I figure that none of these people live at home except in question No. 5. There might be young men and young women who might possibly live on a little less than this if they pay very small board and were helped out at home in little ways, but as I understand the questions, it means that they are absolutely independent and have no other sources of income than their salaries.

STATEMENT OF FLORENCE SIMMS
Secretary of Industrial Work, National Board of Y. W. C. A., New York City

I am replying only for the independent working woman, and it seems to me that at the present time, with the high cost of living, that \$12 per week is as little as she could really get on with. The following items would bring it up to that:

| | |
|----------------------------|--------|
| Lodging | \$2 50 |
| Board and lunches | 4 00 |
| Clothing | 2 00 |
| Street car | 60 |
| Insurance | 15 |
| Doctors and dentists | 25 |
| Recreation | 1 00 |
| Papers and magazines | 25 |
| Charity and church | 25 |
| Savings | 1 00 |

This would require for her year \$624.

I feel satisfied that an independent girl cannot live and be efficient on less money than this.

STATEMENT OF ROSWEL SKEEL, JR.
Lawyer, New York City

My experience so far as it goes only qualifies me to give an opinion as to the average cost of living of a foreign born female factory worker sixteen years of age and upward, or a worker born of foreign parents.

The following is my estimate of the annual amount required to support the self dependent female factory worker in decency and working efficiency:

| | |
|--|---------|
| Lodging per month \$3, equals per annum..... | \$36 00 |
| Food, breakfast 10c., lunch 15c., supper 25c., equals per day 50c., per annum | 182 50 |

Clothing:

| | |
|---|---------|
| 4 hats, at \$2.50..... | \$10 00 |
| 1 winter coat | 10 00 |
| 1 spring coat (lasts 2 years cost \$6)..... | 3 00 |
| 1 sweater \$3 (lasts 2 years)..... | 1 50 |
| 6 shirt waists, at 50c..... | 3 00 |
| 3 skirts, at \$3.50..... | 10 50 |
| 1 white dress | 3 00 |
| 4 doz. handkerchiefs, at 50c..... | 2 00 |
| 3 petticoats, at 75c..... | 2 25 |
| 1 pair gloves | 1 00 |
| 36 pairs stockings (average price 10c).... | 3 60 |
| 3 pairs shoes, at \$3..... | 9 00 |
| 1 pair rubbers | 75 |
| Repairing shoes | 1 00 |
| Underwear | 7 00 |
| 2 pairs corsets, at \$2..... | 4 00 |
| Corset covers, 6, at 15c..... | 90 |
| 1 party dress | 15 00 |
| 3 night gowns, at 50c..... | 1 50 |

89 00

| | |
|---|-----------------|
| Laundry 30c. per week. Girl could do it herself every other week which would make an average weekly expenditure of 15c..... | \$7 80 |
| Car fare 290 days, at 10c..... | 29 00 |
| Doctors bills | 5 00 |
| Dentists bills | 5 00 |
| Church contribution 5c. per week..... | 2 60 |
| Insurance 10c. per week..... | 5 20 |
| Club dues 10c. per week..... | 5 20 |
| Spending money 25c per week..... | 13 00 |
| 2 weeks vacation, board, at \$7 per week, equals \$14, less 2 weeks food, at \$3.50 per week included in allowance for food at this schedule, equals \$7, making net cost of room and board \$7, plus traveling expenses say \$5, equals..... | 12 00 |
| Total | <u>\$392 30</u> |
| Average weekly expenditure | <u>\$7 54</u> |

A minimum wage of \$8 less an allowance of 10 per cent. for vacation, holidays and slack season would equal \$7.20 per week. So in my judgment a minimum wage of \$8 is adequate for the class of factory workers which I have investigated.

I make the following comment upon the question of the allowance of \$3 per month for lodging. To secure a room to herself a girl would have to pay \$5 a month. Sometimes two girls sleep in a room together of this size and are charged \$6 for it, each paying \$3. It does not seem to me that the question of decency necessarily depends upon a girl having a room to herself or with another girl. When a girl has a room to herself she nearly always has to enter her room through the family apartment. It does not seem to me that having a room to herself in a tenement family will necessarily secure to the girl decent living conditions. Where people live in such small quarters the question of decency depends largely upon the standard of the family in observing the decencies of privacy. In a family where the standard is good a girl may be better protected sleeping on a cot in the parlor than by having

a room to herself with a family whose standards of decency are low. Of course other things being equal there is more likelihood of the girl tenant living in decent conditions if she has a room to herself, but in view of the thousands of foreign girls who live as lodgers at \$3 per month it would seem to be rather overdoing it to fix a standard which would provide every self dependent female with a room to herself. A great many of them would continue to live as lodgers at \$3 per month and either save the difference or spend it in other ways.

STATEMENT OF NELLIE M. SMITH

New York City

As a worker with girls, I shall be glad to answer questions one and three of the enquiry to determine the minimum wage. In regard to the others, I am not sufficiently familiar to state.

1. A young woman 16 to 18, living independently?

| | |
|---|---------------|
| Board | \$4 00 |
| Car fare | 60 |
| Lunches | 90 |
| Clothing | 2 00 |
| Recreation | 25 |
| Incidentals (including laundry) | 25 |
| Insurance and savings (against sickness and unemployment) | 1 00 |
| Total | <u>\$9 00</u> |

This, in my opinion, is the very minimum wage on which any woman can support herself in simple decency and working efficiency.

The same budget could be applied to the adult woman, except for the fact that she should be able to lay by at least two or three dollars a week instead of one, as both her working efficiency, and times of unemployment are likely to increase as she grows older. Therefore I would put the very minimum wage of an adult woman at \$10.

ANNUAL EXPENDITURE OF GIRLS RECEIVING \$6 00 AND UNDER

| Lodging and food | Clothing | Fare | Laundry | Spending money | Club or union dues | Doctor's bills | Dentist's bills | Church contributions | Insurance | Vacation cost | Savings in bank | Money sent abroad | Self supporting |
|------------------|---------------|---------|----------|----------------|--------------------|----------------|-----------------|----------------------|-----------|---------------|-----------------|-------------------|-----------------|
| \$184 20 | Don't know... | \$28 00 | \$5 20 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | No |
| 182 00 | \$44 42 | ... | 1 30 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Lives at home. |
| 200 25 | Don't know... | ... | ... | ... | ... | ... | ... | Not asked | Not asked | ... | ... | \$2 50 | Yes |
| 214 90 | Don't know... | ... | ... | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Boards. |
| 174 70 | \$47 85 | ... | 2 60 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | No |
| 145 50 | \$7 10 | ... | 5 20 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Boards. |
| 182 00 | 74 65 | ... | 10 40 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | No |
| 230 50 | 105 95 | ... | 5 20 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | 3 00 | Yes |
| 182 40 | 29 21 | ... | 10 40 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | 15 00 | Yes |
| 158 00 | 96 87 | ... | 13 00 | ... | 2 60 | ... | ... | Not asked | Not asked | ... | ... | ... | No |
| 179 00 | 83 12 | ... | 26 00 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Boards. |
| 183 50 | 55 60 | ... | 10 40 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Lives at home. |
| 120 00 | 42 07 | ... | ... | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Boards. |
| 200 60 | 69 80 | ... | 10 40 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Yes |
| 230 00 | 79 50 | 13 75 | 18 00 | ... | ... | ... | ... | Not asked | Not asked | ... | ... | ... | Boards. |
| \$2,765 55 | \$784 24 | ... | \$133 70 | ... | ... | ... | ... | ... | ... | ... | ... | ... | No |

Number living at home

Number boarding

Average spent for food and lodging by 15 girls

Average spent for clothing by 12 girls

Average spending money of 15 girls

Number considered self supporting

Number not considered self supporting

5
10
\$184 37
65 44
8 91
9
6

ANNUAL EXPENDITURE OF GIRLS RECEIVING BETWEEN \$6 00 AND \$6 99

| Lodging and food | Clothing | Fare | Laundry | Spending money | Club or union dues | Doctor's bills | Dentist's bills | Church contributions | Insurance | Vacation cost | Savings in bank | Money sent abroad | Self supporting |
|------------------|----------|---------|---------|----------------|--------------------|----------------|-----------------|----------------------|-----------|---------------|-----------------|-------------------|---|
| \$179 00 | \$125 13 | ... | ... | \$13 00 | ... | ... | ... | ... | ... | \$19 20 | \$25 00 | \$75 00 | Boards. |
| 202 00 | 93 95 | ... | ... | 52 00 | ... | ... | ... | ... | ... | ... | ... | ... | Lives at home. |
| 260 00 | 86 25 | ... | ... | 13 00 | \$7 20 | ... | ... | ... | ... | ... | ... | ... | Lives at home. |
| 203 80 | 60 57 | ... | ... | 13 00 | ... | ... | ... | ... | ... | ... | ... | 30 00 | Boards. |
| 219 00 | 62 87 | ... | ... | ... | ... | ... | ... | ... | ... | ... | Not asked | ... | Cost of food and lodging includes \$117 for care of baby. |
| 212 70 | 60 00 | ... | ... | 13 00 | ... | ... | ... | ... | Not asked | ... | ... | ... | Boards. |
| 223 20 | 91 99 | ... | ... | 20 08 | ... | ... | ... | ... | Not asked | ... | ... | 20 00 | Yes |
| 230 00 | 132 30 | \$26 00 | \$18 20 | 15 60 | 10 40 | \$40 00 | \$25 00 | ... | ... | ... | ... | ... | No |
| 198 60 | 78 95 | ... | ... | 13 00 | 7 80 | 1 50 | 50 00 | ... | ... | ... | \$100 00 | ... | Boards. |
| \$1,929 40 | \$791 41 | ... | ... | \$152 68 | ... | ... | ... | ... | ... | ... | ... | ... | Yes |

Number living at home

Number boarding

Average spent for food and lodging

Average spent for clothing

Average spending money

Number considered self supporting

Number not considered self supporting

3
6
\$214 38
87 93
16 96
8
1

* Estimated.

ANNUAL EXPENDITURE OF GIRLS RECEIVING BETWEEN \$7 00 AND \$7 99

| Lodging and food | Clothing | Carfare | Laundry | Spending money | Club or union dues | Doctor's bills | Dentist's bills | Church contributions | Insurance | Vacation cost | Savings in bank | Money sent abroad | Self-supporting |
|------------------|----------|---------|---------|----------------|--------------------|----------------|-----------------|----------------------|-----------|---------------|-----------------|-------------------|-----------------|
| \$243 80 | \$118 57 | \$14 40 | ..... | \$25 00 | \$7 80 | \$0 50 | \$30 00 | ..... | ..... | ..... | \$200 | ..... | Yes |
| 210 75 | 75 00 | 23 20 | ..... | 7 80 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | Yes |
| 266 40 | 112 65 | ..... | ..... | 39 00 | ..... | ..... | 2 00 | ..... | ..... | ..... | ..... | ..... | Yes |
| 236 20 | 97 47 | 15 00 | ..... | 52 00 | ..... | 4 00 | 36 00 | ..... | ..... | \$10 00 | ..... | \$40 00 | Yes |
| 256 00 | 116 00 | 14 40 | ..... | 39 00 | ..... | ..... | 18 00 | ..... | ..... | 30 00 | ..... | 25 00 | Yes |
| 182 00 | 116 60 | 23 00 | ..... | 20 80 | ..... | 5 00 | 23 00 | ..... | ..... | ..... | ..... | ..... | Yes |
| \$1,395 15 | \$638 29 | ..... | ..... | \$184 60 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | Boards. |

Number living at home.....

Number boarding.....

Average spent for food and lodging.....

Average spent for clothing.....

Average spending money.....

Number considered as self supporting.....

0
6¹—all
2232 52
106 06
30 77
6— all

ANNUAL EXPENDITURE OF GIRLS RECEIVING BETWEEN \$8 00 AND \$8 99

| Lodging and food | Clothing | Carfare | Laundry | Spending money | Club or union dues | Doctor's bills | Dentist's bills | Church contributions | Insurance | Vacation cost | Savings in bank | Money sent abroad | Self-supporting |
|------------------|----------|---------|---------|----------------|--------------------|----------------|-----------------|----------------------|-----------|---------------|-----------------|-------------------|-----------------|
| \$216 60 | \$129 09 | \$13 20 | \$0 00 | \$32 00 | ..... | \$18 00 | ..... | ..... | ..... | ..... | \$100 | ..... | Yes |
| 207 55 | 111 75 | ..... | 13 00 | 26 00 | ..... | 2 00 | ..... | ..... | ..... | ..... | 50 | ..... | Boards. |
| 195 00 | 83 50 | ..... | ..... | 13 00 | ..... | 1 50 | ..... | ..... | ..... | ..... | 40 | ..... | Boards. |
| 195 09 | 96 20 | ..... | ..... | 13 00 | ..... | ..... | ..... | ..... | ..... | ..... | 30 | ..... | Boards. |
| \$814 15 | \$420 54 | ..... | ..... | \$104 00 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | Boards. |

Number living at home.....

Number boarding.....

Average spent for food and lodging.....

Average spent for clothing.....

Average spending money.....

Number considered self supporting.....

0
4— all
2203 54
106 13
26 00
4— all

ANNUAL EXPENDITURE OF GIRLS RECEIVING \$9 AND OVER

| | | | | | | | | | | | | | |
|---------|--------|--------|-------|-------|-------|-------|-------|--------|-------|-------|-------|-------|-----|
| \$84 00 | \$5 70 | \$3 60 | | | | | | \$2 60 | | | \$300 | | Yes |
|---------|--------|--------|-------|-------|-------|-------|-------|--------|-------|-------|-------|-------|-----|

STATEMENT OF ROSWELL D. TOMPKINS, ON BEHALF OF BUSINESS
AGENTS OF THE BUILDING TRADES
Secretary, United Board of Business Agents of The Building Trades, New
York City

In reply to your circular letter issued under date, we are desirous of submitting our contribution of information which has been personally gathered and compiled by a committee selected by this Board to go into the facts and herewith follows the questions and answers as we find them relative to what income is necessary to support in simple decency and work efficiency the following:

First. Q. A young woman of 16-18 years living independently? A. A young woman would have to pay the following amount per week to live decently in this locality: Meals, \$4; Room rent, \$3; Clothing, \$2; Laundry, 85 cents; Insurance, 15 cents; Incidentals, \$2; Total amount, \$12.

Second. Q. A young man of 16-18 years living independently? A. A young man would have to pay the following amount per week to live decently in this locality: Meals, \$4.50; Room rent, \$3; Clothing, \$2; Laundry, 80 cents; Insurance, 20 cents; Incidentals, \$3.50; Total amount, \$14.

Third. Q. An adult woman living independently? A. An adult woman would have to pay the following amount per week to live decently in this locality: Meals, \$4; Room rent, \$3; Clothing, \$2; Laundry, 85 cents; Insurance, 15 cents; Incidentals, \$2; Total amount, \$12.

Fourth. Q. An adult man living independently? A. An adult man would have to pay the following amount per week to live decently in this locality: Meals, \$5; Room rent, \$3; Clothing, \$2; Laundry, 80 cents; Insurance, 70 cents; Incidentals, \$5.50; Total amount, \$17.

Fifth. Q. A normal family containing one man at work, one woman doing her own housework and three children under fourteen at school? A. A normal family consisting of five persons would have to pay the following amount per week to live decently in this locality: Meals, \$10.50; Rent, \$4.60; Heat and light, \$1.50; Insurance, 50 cents; Coal and ice, 70 cents; Clothing, \$5.75; incidentals, \$5; Total amount, \$27.55.

REPORTS FROM UPSTATE CITIES AND ELSEWHERE

STATEMENT OF MARY I. BREED

General Secretary of Society for Co-operation of Charities, Albany, N. Y.

In answer to your letters, we would say that we believe a young woman from sixteen to eighteen living independently would require eight dollars a week: Room and board, \$312 a year; Clothing, \$70; Insurance, \$5.20; Doctor and dentist, \$5; Recreation, \$8; Church, \$2.50; Laundry, \$13.50.

A young man from sixteen to eighteen living independently would require \$7.75 a week: Room and board, \$286 a year; Clothing, \$55; Insurance, \$5.20; Doctor and dentist, \$10; Recreation, \$13; Church, \$7.80; Laundry, \$26.

We believe that the adult man and the adult woman can live on the same wage because they can supply their additional needs by more careful planning of their expenditure.

A normal family consisting of a man and his wife and three children can live on \$15 a week and have a house in which there is light in each room.

The above figures are the least on which people can live comfortably, but we should trust that able bodied men and women can be able to give service that would demand a higher wage.

STATEMENT OF A. PERSION

General Secretary-Treasurer, International Hod Carriers, Building and Common Laborers Union, Albany, N. Y.

Judging from my experience the following wages are needed to live in a modest way:

1. A young woman of 16-18 years living independently, \$10.00.
2. A young man of 16-18 years living independently, \$10.00.
3. An adult woman living independently, \$15.00.
4. An adult man living independently, \$18.00.
5. A normal family containing one man at work, one woman doing her own housework and three children under fourteen at school, \$35.00.

I should add that out of these amounts there is not much for recreation. In fact I am sure that with such wages no one can go to see a Grand opera at least once a year.

STATEMENT OF WILLIAM C. ROGERS

Second Deputy Commissioner, Department of Labor, State of New York,
Albany, N. Y.

I believe the following figures approximate the requirements in this locality and in similar localities throughout the State with which I am familiar to support decently and efficiently the classes you mention:

| | |
|-------------------|-----------------|
| Class No. 1 | \$8 00 per week |
| Class No. 2 | 8 00 per week |
| Class No. 3 | 10 00 per week |
| Class No. 4 | 11 00 per week |
| Class No. 5 | 16 00 per week |

STATEMENT OF CARL BERGSTROM

General Secretary, Paving Cutters' Union, United States of America and
Canada, Albany, N. Y.

We beg to answer your questions as follows:

1. A young woman of sixteen to eighteen years living independently, \$500.
2. A young man of sixteen to eighteen years living independently, \$600.
3. An adult woman living independently, \$700.
4. An adult man living independently, \$800.
5. A normal family containing one man at work, one woman doing her own housework and three children under fourteen at school, \$1,200.

STATEMENT OF ALBERT C. PRICE

Educational Secretary, Y. M. C. A., Binghamton, N. Y.

For a young man or woman from sixteen to eighteen years of age, I would place the minimum wage at from \$10 to \$12 a week. For an adult man or woman, I would fix the minimum at from \$13 to \$15 a week. For the normal family of man and wife and three children, I would fix the minimum wage at from \$20 to \$22 a week.

I have made several inquiries in order to get figures upon which to base this judgment. The replies of most of them were within the range of figures given above.

STATEMENT OF FREDERIC ALMY

General Secretary, Charity Organization Society, Buffalo, N. Y.

In the Survey for June 1, 1910, I had an article on the cost of living for a man and wife with three children. Of course, figures then reached should be increased on account of the rise in the cost of food. I have been criticized for naming \$560 as the lowest tolerable budget for such a family allowed by any of our visitors, but I said plainly that the lowest decent budget is from \$635 to \$735, while the annual income of steady unskilled labor is seldom over \$400.

At a meeting last week of some of our settlement head workers, I put the question of the cost of living for a young or adult man or woman living independently. The general opinion favored \$9 or \$10 a week and thought the same sum necessary for a man or woman. A man needs more sustenance but has more opportunities than a woman to buy cheaply. Such inquiries as are being made by your Miss Packard and Mr. Baron are worth more than all our impressions. We have done what we could to assist Miss Packard with her work. I have a high regard for your Commission and expect real results from its work.

STATEMENT OF S. E. HEBERLING

International President, Switchmen's Union of North America, Buffalo, N. Y.

1. A young woman of sixteen to eighteen years living independently should receive not less than \$10 or \$12 a week.
2. A young man of sixteen to eighteen years living independently not less than \$12 or \$15 a week.
3. An adult woman living independently should receive a minimum wage of \$12 a week.
4. An adult man living independently should receive a minimum of \$15 a week.
5. A normal family containing one man at work, one woman doing her own housework and three children under fourteen at school should not receive less than \$100 a month. This is my opinion from personal observation.

I cannot give you from personal knowledge statistics on the price of food and clothing in Buffalo as compared with other

cities. I believe the above wages I have quoted you are the least amount a person can live respectably on and not become an object of charity and a burden on the community as soon as they become sick and out of employment.

STATEMENT OF ANNA B. PRATT

General Secretary, The Elmira Federation for Social Service

I cannot answer for a young or adult man living independently. I think that a young woman between sixteen and eighteen would probably require as much as an adult woman.

At a meeting of young women Friday evening they discussed the matter very thoroughly and gave as a result of their discussion the enclosed estimate. They were young women, most of them working in factories and finding it necessary to go several miles to their work. They said that in the wages one must take into account the fact that the work in a factory is often irregular but that the expenses go on just the same.

Income necessary to maintain a young or adult woman living independently according to estimate of the girls themselves. This leaves nothing for charity and recreation.

| | |
|-----------------------------|--------|
| Board and room | \$5 00 |
| Laundry | 50 |
| Clothes, shoes | 2 50 |
| Heath, including teeth..... | 25 |
| Car fare | 60 |
| | <hr/> |
| | \$8 85 |
| | <hr/> |

Income necessary for a normal family containing one man at work, one woman doing her own housework and three children under fourteen at school.

| | |
|-----------------------|--------|
| Rent | \$3 00 |
| Food | 7 50 |
| Clothing, shoes | 3 00 |
| Fuel and light..... | 1 00 |
| Furnishings | 25 |

| | |
|-----------------------------|---------|
| Health | \$0 35 |
| Car fare | 30 |
| Insurance | 25 |
| Charity and recreation..... | 25 |
| | <hr/> |
| | \$15 90 |
| | <hr/> |

STATEMENT OF AMY WOODS

Secretary of The Associated Charities, Newburgh, N. Y.

I cannot give you a very definite answer to your specific questions as the majority of families who come to my attention are industrially inefficient, due in a majority of cases to mental deficiency or intemperance and I do not feel that I am really in touch with the normal family. I will give you what little knowledge I have and trust it will be of some value although widespread conclusions of the industrial condition in Newburgh could not be drawn from them.

1. Young women of 16 to 18 years—I believe the few girls I know who are not living in their own homes earn between \$5 and \$6 a week piece work in the cigar factory or \$4 or \$5 a week in the lace mill. They pay \$3 for room and board, usually in a private family, and spend the rest of their income upon clothes. I know of one or two girls at housework earning \$12 a month. They spend all of their income on clothes. One other girl at housework earns \$16 a month and was practically the support of her family this last winter as her father has been out of work the greater part of the time. When he is working at \$10 a week the family of five manages to get along without outside help.

2. A young man of 16 or 18 years.—For the most part the men or boys whom I know that would come under this heading have been placed on parole to me and are now working in the plaster mill or the fabrikoid factory. They earn between \$7 and \$9 a week. Their board averages \$4 a week. They spend little on clothes and save nothing. Their usual recreation, moving pictures takes a great deal of the surplus.

3. An adult woman.—I do not know any adult woman living independently. Most of the women who come to me work in factories to support relatives.

4. An adult man.—An adult man living independently usually seems less well off than the married man. This may be because he has not assumed family responsibilities, and those whom I know are mentally low grade and intemperate. I know one man, however, who is now janitor of a building, earning \$30 a month and his board. He is a German poet who is hoping to teach German as soon as he has learned English. His experiences in the factories during the past year have not been successful. I think that the largest amount that he has earned per week is \$8. I can draw very little conclusion from him as I believe he has a small independent bank account.

In our report of the survey which was made by the Russell Sage Foundation last year, of Newburgh, the Federal statistics are quoted, which shows that our unskilled and skilled laborers have an average weekly wage of \$9.65. There are over 4,300 who earn below \$10 a week. What statistics were gathered on industrial conditions, were from people interviewed during the housing investigation. By adding up these two reports you can come to some conclusion of the living possibilities in Newburgh. I am sending you under separate cover one of the reports.

I am sorry that this report is necessarily scrappy. I wish I might have the time and opportunity to make a more thorough investigation of the situation here as our problem of low wages and intermittent work is a grave one.

STATEMENT OF H. C. BERRY, F. M. PERRY AND E. F. MOSHER ON
BEHALF OF THE NIAGARA FALLS TRADES AND LABOR COUNCIL

Past Presidents of Niagara Falls Trade and Labor Council,
Niagara Falls, N. Y.

Our Committee has given your communication careful consideration, and believe that the minimum weekly wage to suit the living conditions here should be set at the enclosed figures.

1. Young woman of 16-18 years, \$12.00 per week.
2. Young man of 16-18 years, \$15.00 per week.
3. An adult woman living independently, \$15.00 per week.
4. An adult man living independently, \$18.00 per week.
5. A normal family, \$21.00 per week.

STATEMENT OF H. Q. DEAN, J. A. BLAKE AND JOSEPH F.
MOONEY, ON BEHALF OF THE TRADES' ASSEMBLY,
NORWICH, NEW YORK

To maintain young women 16-18 years — average per week,
\$9.00 minimum:

| | |
|--------------------------------------|---------|
| Clothing | \$30 00 |
| Hats | 12 00 |
| Shoes | 10 50 |
| Undergarments . . . | 20 00 |
| Insurance | 25 00 |
| Incidentals | 50 00 |
| Doctor's fees, amusements | 50 00 |
| Board | 208 00 |
| Laundry | 50 00 |

Total (per year) . . \$455 50

Average for young man 16-18 years — minimum, \$10.00 per
week:

| | |
|-----------------------|----------|
| Board | \$260 00 |
| Clothing | 20 00 |
| Shoes | 10 00 |
| Laundry | 40 00 |
| Underwear | 10 00 |
| Clothing | 12 00 |
| Amusements | 150 00 |
| Insurance | 10 00 |
| Barbers | 20 00 |
| Hats, caps, etc . . . | 10 00 |

Including handkerchiefs, etc.
Including doctor's fees, tobacco, etc.

Total (per year) \$542 00

Figures correspond favorably between adult and youth — man, wife and three children, minimum should be \$20.00:

| | | |
|-------------------------|----------|---|
| Rental | \$156 00 | |
| Groceries | 312 00 | |
| Meats | 150 00 | |
| Fuel | 50 00 | |
| Shoes | 35 00 | |
| Clothing, family . . | 172 00 | Including repairs, h'dkfs, suits, underwear, overalls. |
| School supplies . . . | 50 00 | |
| <hr/> | | |
| Total (per year) | \$925 00 | |
| No music or amusements. | | |

STATEMENT OF D. T. LETHAM

Secretary of Trades and Labor Council, Ogdensburg, N. Y.

I have consulted with a few of the working men of our city in regards to what it costs them to maintain a family of five or more. I find that they vary a whole lot in what it costs to maintain them, but when you look into conditions of those that can keep a family on nine dollars per week and those that claim fourteen dollars, I will have to side with the fourteen dollar man.

Question 1. Eight dollars per week.

2. Nine.

3. Eight.

4. Ten.

5. Fifteen.

We have very long cold winters in this northern section; the majority of our laboring men are idle for four long months in the year and they have to make provisions during the summer months to carry them through the winter.

STATEMENT OF GEORGE W. GOLER

Health Officer, City of Rochester, N. Y.

I am enclosing to you memorandums relating to the data for which you ask. These memorandums are gathered from social workers, health inspectors, etc. In every instance they have been

asked to give special attention to the case of the woman between 16 and 18, living independently.

Woman 16-18:

| | |
|--|---------|
| Room | \$2 00 |
| Board | 4 50 |
| Clothes | 2 00 |
| Laundry | 50 |
| Carefare, amuse- ments, doctor and dentist, incident- als, etc. | 1 00 |
| <hr/> | |
| Total | \$10 00 |
| <hr/> | |

Testimony of working girls in Rochester is that 50 cents a day will not buy meals sufficiently nourishing to keep their strength.

Man 16-18:

| | |
|---|--------|
| Room | \$1 50 |
| Board | 4 00 |
| Clothes | 1 50 |
| Laundry | 50 |
| Carefare, amuse- ments, doctor, dentist, etc. . . . | 1 50 |
| <hr/> | |
| Total | \$9 00 |
| <hr/> | |

Adult Woman:

| | |
|--|---------|
| Room | 2 50 |
| Board | 4 50 |
| Clothes | 3 00 |
| Laundry | 75 |
| Amusements, care- fare, books, doc- tor, dentist, inci- dentals | 2 00 |
| <hr/> | |
| Total | \$12 75 |
| <hr/> | |

With carefare or \$3 near business.

Adult Man:

| | |
|--|--------|
| Room | \$2 00 |
| Board | 4 00 |
| Clothes | 3 00 |
| Laundry | 50 |
| Amusements, care- fare, books, doc- tor, dentist, incl- dentals | 2 50 |

Total \$12 00

Normal family:

| | |
|--|--------|
| Rent | \$7 00 |
| Food | 8 00 |
| Light and fuel | 2 00 |
| Clothes | 4 00 |
| Carefare, doctor, incidentals, in- surance | 3 00 |

Total \$24 00

Rents in Rochester are ab-
normally high.

STATEMENT OF NELLIE FAIRBANKS HENRY

General Secretary, Y. W. C. A., Rochester, N. Y.

With regard to the question of the cost for men or for a normal family, I do not feel able to make any definite statement.

The question of the girls and adult women I have taken up with several of the workers here in our organization, and the general impression seems to be that \$8 per week is the minimum wage in each case. We recognize the fact that the girl from sixteen to eighteen years would not have as many demands upon her in all probability as a more mature woman, at the same time she would have less ability to use her money wisely, and would likely require forms of recreation that would be more expensive than those of

an older woman. We, therefore, came to the conclusion that in the long run their cost of living would be practically the same.

We do not feel able to specify the items of expense as that differs so widely with different individuals.

STATEMENT OF ALBERT SMITH

Supervisor of Charities, Rochester, N. Y.

My experience in Rochester has been too short for me to speak with great authority on the subject of an adequate wage.

It is not possible for a young woman or young man to obtain good room and board for less than \$5 a week. Neither a girl nor young man can maintain themselves decently on less than \$10 a week. An adult woman preparing her own meals in her own room can maintain herself on a smaller sum, about \$8 a week. An adult man could live independently on the same amount. A normal family consisting of man, woman and three children would require at least \$15 a week. It is not possible in Rochester to secure anything approaching adequate housing for less than \$3.50 a week. An adequate food budget for the above family would require about \$6.50 per week. (The Gibbs standard). \$3.50 for rent, \$3 for clothing, \$1 for recreation, \$2 for sundries, carfare and insurance. In this last budget I have been considering only a laboring man's family. In this budget, the amount of food is adequate, the amount assigned for clothing is very small, considering that the children are attending school.

STATEMENT OF ALMUS OLVER

Secretary, Associated Churches and Charities, Syracuse, N. Y.

I desire to make the following recommendations:

1. A young woman of 16 to 18 years, living independently, should have, in my estimation a minimum wage of \$10 per week. Of this sum, \$5 will be required for board and room, \$2 for clothing, 50 cents for laundry, 50 cents for recreation, 20 cents for insurance, making a total of \$8.20 per week, which leaves \$1.80 per week for incidental expenses, such as doctor's and dentist's bills, carfare, and if possible, a small saving against a protracted illness.

You will note as you proceed, that I have made the minimum wage in this particular instance, larger than in the other cases. I do this for the reason that in my estimation, a young girl at the age stated, living alone, ought to have a sufficient income so that she can be wholly independent and not compelled to seek her recreation and amusement in free amusement parks, etc., and in the company of strange young men, simply because, by reason of some relaxation of caution and modesty, she may secure pleasures which she would otherwise be denied. It is cases of this kind from which the ranks of disorderly women are recruited and from cases of this kind come our unmarried mothers and depraved young women.

2. A young man 16 to 18 years, living independently, \$8 a week, \$5 for board and room, \$1 for clothing, 50 cents for laundry, 50 cents for recreation, 20 cents for insurance, total \$7.20.

3. Adult woman living independently, \$7 per week. Board and room \$4, clothing \$2, recreation etc., 50 cents.

4. Adult man living independently, \$8 divided practically the same as for a young man under paragraph 2.

5. A normal family containing one man who works, one woman doing her own housework, three children under fourteen at school, \$14. Rent \$3, food \$4, clothing \$3, insurance and recreation \$1, fuel \$1.25, incidentals \$1.75.

These are figured as nearly as possible on the basis of a minimum wage, upon which it is possible to exist without assistance, providing sickness or accidents do not interfere with the wage earning powers of the person working. The ideal wage would of course be much more than this. I trust that as a result of your Commission's investigations, factory conditions and wages may be very much improved.

STATEMENT OF HARRY L. MORRISON

General Secretary and Treasurer, Laundry Workers' International Union,
Troy, N. Y.

In compliance with the request of the State Factory Commission I will answer the questions submitted by them to the best of my ability from the view point of the laundry workers. There seems to be an impression in the East that the reason why some

of the western States have set a wage of \$8.50 to \$10 as the minimum wage for adult women workers is because the cost of living is greater in the West than in the East. When I was in the West, I was led to believe that small wages were paid in the East because living was cheaper here, but speaking from personal experience I find that it is not true, and the cost of living is just as high in New York State as it is in California or Oregon, and some articles are even more expensive in the East.

I think that considering the circumstances it would be no more than right for the State of New York to take the same care of the women workers as the western states do. In answer to the questions submitted, I state:—

No. 1. Not less than \$8 a week, as no girl can get decent room and board for less than \$5 a week, which would only leave \$3 for clothes, laundry, sickness and carfare. Her amusements, unless she had some man to pay her expenses would probably be a moving picture show once or twice a week.

No. 2. Not less than \$10 a week, his expenses would be more than the expenses of the young girl as he would not be able to have any one pay for his amusements, and all his clothes would probably have to be sent to a laundry, whereas most girls will do part of their laundry in their spare time.

No. 3. Not less than \$9, as being an adult woman she would expect to save a little money and if she receives less than \$9 it would be impossible for her to do so.

No. 4. A single adult man should receive not less than \$14 a week, as besides having the expenses of the younger man, he would most likely be keeping company with some girl with a view to marriage, and besides he is expected to save enough money to provide a home for his wife when married.

No. 5. A family of five people could exist on \$18 a week but if more than a mere existence was desired the head of the family should receive not less than \$20 a week.

In regard to the laundry business I am fully convinced that the above wages could be paid without any great hardship to the employers and in fact these wages are paid in the laundry industry of the West. The employers would most likely claim that the employers of the West charged more for doing the work and so

were able to pay better wages, but that claim could be easily refuted as price lists could be compared and little difference would be found in them.

I hope that the labors of the Commission will be productive of some practical results.

STATEMENT OF FREDERICK L. HOFFMAN

Statistician, Prudential Insurance Company, Newark, N. J.

Question 1. Eight dollars a week.

2. Nine dollars.

3. Ten dollars.

4. Twelve dollars.

5. Fifteen dollars.

These I would consider the requirements for minimum decent support combined with a fair degree of reasonable comfort.

The main item of expense on the part of young persons living independently is, of course, board and lodging. Much has been done in Germany by large employers, to my knowledge, to provide reasonable lodging accommodations at lower expense than obtainable under conditions of unrestrained and ill-adjusted private competition.

The question of money cost is secondary to the question of nutriment and wholesome surroundings. The same price may be paid and is paid for board and lodging of widely different quality. Since health is the first consideration, it is obvious that wholesome food and sanitary home conditions are essentials. I am convinced that in the large majority of cases these conditions are not obtained by workers at low wages or young persons employed in unskilled occupations. They are without sufficient judgment as regards the quality of the accommodation provided in return for the payment of a sum which to them constitutes, usually, over half their normal earnings. In other words. I feel strongly that much more should be done in our large cities in the direction of providing real model lodging houses for young men and young women, instead of mere barracks affording living accommodation in the least attractive form.

STATEMENT OF HUGH FRAYNE

General Organizer, American Federation of Labor, New York City

I make my answer setting forth what, in my opinion, would be a reasonable minimum wage.

First, a young woman of 16 to 18 years living independently.

Second, a young man of 16 to 18 years living independently.

Third, an adult woman living independently.

Fourth, an adult man living independently.

Fifth, a normal family containing one man at work, one woman doing her own housework and three children under 14 at school; also the items of expense for lodging, food, clothing, insurance, recreation, savings, etc.

In answer to question No. 1, I would say that a young woman sixteen to eighteen years of age, self-dependent, should receive from \$10 to \$12 per week minimum, in order to live decently.

Question No. 2, a young man of sixteen to eighteen years, self-dependent, should receive a minimum of from \$12 to \$15 per week.

Question No. 3, an adult woman living self-dependent, should receive from \$15 to \$18 per week.

Question No. 4, an adult man, self-dependent, should receive from \$18 to \$20 per week.

Question No. 5, a normal family containing one man at work, one woman doing her own housework and three children under 14 at school, should receive from \$20 to \$25 per week.

In the matter of cost of lodging for persons living independently, would say that a suitable room having the common necessary comforts, would cost from \$3.50 to \$5 per week, according to location.

Good wholesome food, without any attempt at extravagant living, would cost one person from \$5 to \$6 per week.

Clothing that would permit one person to dress modestly and neatly would average from \$100 to \$150 per year.

In the matter of insurance covering the persons above mentioned on from \$250 to \$350, according to their physical condition, and age being considered and the line of employment, it would cost about \$10 per year.

Recreation of all kinds, from \$35 to \$50 per year.

A man with a wife and family of three children, receiving from \$20 to \$25 per week, by careful management might be able to live as well as those who are self-dependent because of the advantage of buying and preparing their own food, as well as the wife and mother being able to do considerable of the sewing to keep the children clean and decently dressed.

The question of how much any of those mentioned might be able to save in a year, based upon the amounts which I mentioned, will have to be determined after considering whether they are going to be steadily employed or not. If the employment be steady, namely, 52 weeks in the year, the young woman or young man between 16 and 18 years, living self-dependent, would not be able to save anything, in fact, they would have to live within the amount which I have named as being required for them to live decently.

The adult man or woman living independently would be able to save from \$50 to \$100 per year, not considering doctor's bills and other fixed costs of living.

Allowance should be made for time of unemployment and in seasonal work a deduction from these figures of about $33\frac{1}{3}$ per cent. should be allowed, which would cut down the standard of living based upon the figures which I quote, $33\frac{1}{3}$ per cent.

I hope that I have given you the desired information and that these figures will be helpful to you and ask you to keep in mind that they are based upon living conditions, not a mere existence.

APPENDIX 4

SUPPLEMENTARY TABLES

[1767]

NOTE

The text contains frequent reference to the tables which follow. It was felt that the data contained in this Appendix were valuable enough for publication, but that the inclusion of this material in the body of the report would unduly load the text with statistics.

[1769]

TABLE 3
WEEKLY COST OF BOARD AND LODGING OF 125 WOMEN EMPLOYED IN STORES AND LIVING INDEPENDENTLY IN NEW YORK CITY BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | | | XIX | |
|----------------------------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|---------------|-------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | XVIII | | | |
| WEEKLY COST OF BOARD AND LODGING | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$15 to \$15.99 | \$16 to \$16.99 | \$17 to \$17.99 | \$18 to \$18.99 | \$19 to \$19.99 | \$20 to \$24.99 | Not reported. | Totals or average |
| 1 \$2.00-\$2.49 | 1 | | | | | | | | | | | | | | | | | | | 1 |
| 2 2.50-2.99 | | 1 | | | | | | | | | | | | | | | | | | 2 |
| 3 3.00-3.49 | | | 1 | | | | | | | | | | | | | | | | | 3 |
| 4 3.50-3.99 | | | | 1 | | | | | | | | | | | | | | | | 4 |
| 5 4.00-4.49 | | | | | 1 | | | | | | | | | | | | | | | 5 |
| 6 4.50-4.99 | | | | | | 1 | | | | | | | | | | | | | | 6 |
| 7 5.00-5.49 | | | | | | | 1 | | | | | | | | | | | | | 7 |
| 8 5.50-5.99 | | | | | | | | 1 | | | | | | | | | | | | 8 |
| 9 6.00-6.49 | | | | | | | | | 1 | | | | | | | | | | | 9 |
| 10 6.50-6.99 | | | | | | | | | | 1 | | | | | | | | | | 10 |
| 11 7 and over | | | | | | | | | | | 1 | | | | | | | | | 11 |
| 12 Total reporting expenditures | 2 | | | | 7 | 19 | 23 | 18 | 15 | 6 | 5 | 1 | 7 | 7 | 1 | 1 | 1 | 1 | 2 | 114 |
| 13 Average expenditure | \$3.00 | | | | \$3.58 | \$3.89 | \$4.27 | \$4.69 | \$4.70 | \$5.92 | \$5.20 | \$6.00 | \$5.99 | \$6.07 | \$5.00 | \$8.00 | | | | \$4.69 |
| 14 Not reporting | | | | | | 1 | 3 | 3 | | | 1 | 1 | 1 | 1 | 1 | | | | | 11 |
| 15 Totals | 2 | | | | 8 | 20 | 26 | 21 | 15 | 6 | 6 | 2 | 7 | 8 | 1 | 1 | 1 | 2 | 2 | 125 |

TABLE 4
WEEKLY CONTRIBUTIONS TO FAMILY TREASURY OF 348* WOMEN EMPLOYED IN CANDY, PAPER, BOX, AND SHIRT FACTORIES IN NEW YORK CITY AND LIVING AT HOME OR WITH RELATIVES BY WEEKLY EARNINGS

| I | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI |
|-----|---|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------|-------------------|
| | | WEEKLY EARNINGS | | | | | | | | | | | | | | |
| | | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$20 or over | Totals or average |
| 1. | Amount of contributions under | | | | | | | | | | | | | | | |
| 2. | \$2.00..... | 1 | | 1 | 2 | 2 | | 1 | | | | | | | | 4 |
| 3. | \$2.00 to \$2.49..... | 1 | | 2 | | 1 | | | | | | | | | | 5 |
| 4. | \$2.50 to 2.99..... | | | | 2 | | | | | | | | | | | 2 |
| 5. | \$3.00 to 3.49..... | | 1 | | 5 | 6 | | 4 | | 1 | | | | | | 17 |
| 6. | \$3.50 to 3.99..... | | | 4 | 4 | 3 | | 4 | 1 | | | | | | | 17 |
| 7. | \$4.00 to 4.49..... | | | | 7 | 7 | 3 | 3 | | | | | | | | 20 |
| 8. | \$4.50 to 4.99..... | | | | 7 | 6 | | | | | | | | | | 9 |
| 9. | \$5.00 to 5.49..... | | | | | 5 | 5 | | 1 | | | | | | | 21 |
| 10. | \$5.50 to 5.99..... | | | | | 9 | 9 | 2 | 1 | 2 | 1 | | | | | 9 |
| 11. | \$6.00 to 6.99..... | | | | | 1 | 2 | 2 | 2 | 1 | 1 | | | | | 3 |
| 12. | \$7.00 to 7.99..... | | | | | | | | 1 | 1 | | | | | | 6 |
| 13. | \$8.00 or over..... | | | | | | | | | 2 | 1 | 2 | | | 1 | |
| 14. | Number reporting exact contributions..... | 1 | 2 | 7 | 25 | 34 | 12 | 13 | 8 | 6 | 2 | 2 | | | 1 | 113 |
| 15. | Candy..... | | | | 12 | 8 | 3 | 1 | 1 | 1 | 1 | | | | 1 | 72 |
| 16. | Paper-box..... | | 2 | 6 | 12 | 24 | 6 | 7 | 7 | 5 | 1 | 2 | | | 2 | 72 |
| 17. | Shirt..... | 1 | 1 | 1 | 1 | 2 | 3 | 5 | | | 1 | | | | | 14 |
| 18. | Average reported contribution | \$2.00 | \$2.40 | \$2.85 | \$3.22 | \$4.07 | \$4.50 | \$4.15 | \$6.25 | \$5.50 | \$5.75 | \$6.00 | | | \$17.50 | \$4.19 |
| 19. | Contributed, "all"..... | 4 | 19 | 23 | 55 | 35 | 31 | 20 | 20 | 8 | 4 | 4 | 1 | 2 | | 2 26 |
| 20. | Total reporting contribution..... | 5 | 21 | 30 | 80 | 69 | 43 | 33 | 28 | 14 | 6 | 6 | 1 | 2 | 1 | 339 |
| 21. | Contribution..... | | | 2 | 2 | 2 | 1 | 2 | | | | | | | | 9 |
| 22. | Total..... | 5 | 21 | 32 | 82 | 71 | 44 | 35 | 28 | 14 | 6 | 6 | | 2 | 1 | 348 |

* 108 omitted from this table because records were incomplete.

TABLE 5
WEEKLY COST OF BOARD, LODGING, AND LUNCHEES OF 113 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY AND LIVING WITH RELATIVES OR FRIENDS BY WEEKLY EARNINGS

| I | | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII |
|-----------------|--|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------|--------------|-----|------------------|
| WEEKLY EARNINGS | | | | | | | | | | | | | | | | | |
| | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | \$11 to \$11.99 | \$12 to \$12.99 | \$13 to \$13.99 | \$14 to \$14.99 | \$20 or over | Not reported | | Total or average |
| 1 | Reported cost under \$3 | 1 | 2 | 4 | 6 | 3 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 21 |
| 2 | \$3.00 to \$3.49 | 1 | 7 | 8 | 5 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 27 |
| 3 | 3.50 to 3.99 | 1 | 1 | 3 | 5 | 4 | 2 | 4 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 22 |
| 4 | 4.00 to 4.49 | 1 | 1 | 3 | 2 | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 12 |
| 5 | 4.50 to 4.99 | 1 | 1 | 1 | 1 | 1 | 1 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 |
| 6 | 5.00 to 5.49 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 4 |
| 7 | 5.50 to 5.99 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 8 | 6.00 to 6.99 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 |
| 9 | Number reporting cost. | 2 | 11 | 20 | 18 | 16 | 8 | 11 | 7 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 96 |
| 10 | Average reported cost. | \$3.25 | \$2.00 | \$2.37 | \$3.31 | \$2.71 | \$3.26 | 3.49 | \$3.86 | \$6.00 | 1 | 1 | 1 | 1 | 1 | 1 | \$3.15 |
| 11 | Reported cost. | 2 | 1 | 3 | 3 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 |
| 12 | Reported contributed "all" | 1 | 1 | 3 | 3 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 7 |
| 13 | No report. | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 3 |
| 14 | Totals. | 4 | 4 | 12 | 27 | 21 | 17 | 8 | 11 | 7 | 1 | 1 | 1 | 1 | 1 | 1 | 113 |
| 15 | Contributed all, but had other expenditures. | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 3 |

TABLE 6
WEEKLY COST OF BOARD, LODGING, AND LUNCHEES OF 39 WOMEN EMPLOYED IN THE CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY AND LIVING INDEPENDENTLY BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | Total or average |
|-----------------------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------|--------|------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | |
| | Under \$3 | \$3 to \$3.99 | \$4 to \$4.99 | \$5 to \$5.99 | \$6 to \$6.99 | \$7 to \$7.99 | \$8 to \$8.99 | \$9 to \$9.99 | \$10 to \$10.99 | | |
| 1 Under \$3.00..... | | | | | 3 | 2 | 2 | 1 | ..... | 8 | |
| 2 \$3.00 to \$3.49..... | | 1 | 1 | 4 | ..... | 1 | ..... | 1 | ..... | 8 | |
| 3 3.50 to 3.99..... | | | | 2 | 1 | 3 | 3 | ..... | ..... | 9 | |
| 4 4.00 to 4.49..... | | | | | 1 | 1 | ..... | 2 | ..... | 7 | |
| 5 4.50 to 4.99..... | | | | 1 | 1 | 2 | 1 | 2 | ..... | 7 | |
| 6 5.00 to 5.49..... | | | | | | 1 | ..... | ..... | 1 | 2 | |
| 7 5.50 to 5.99..... | | | 1 | ..... | ..... | ..... | 1 | ..... | ..... | 2 | |
| 8 6.00 or over..... | | | | | | 1 | ..... | ..... | ..... | 1 | |
| 9 Total reporting cost..... | | 1 | 2 | 7 | 6 | 11 | 7 | 4 | 1 | 39 | |
| 10 Average cost..... | | \$3.00 | \$4.25 | \$3.41 | \$3.36 | \$4.06 | \$3.74 | \$3.78 | \$5.00 | \$3.75 | |

* Three women living independently omitted from this table because reports were incomplete.

TABLE 7
PROVISION FOR LUNCHEES OF 531 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII |
|---|--------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------|--------------|------------------|
| WEEKLY EARNINGS | | | | | | | | | | | | | | | | |
| Provision for Lunch | Under \$3.00 | \$3.00 to \$3.99 | \$4.00 to \$4.99 | \$5.00 to \$5.99 | \$6.00 to \$6.99 | \$7.00 to \$7.99 | \$8.00 to \$8.99 | \$9.00 to \$9.99 | \$10.00 to \$10.99 | \$11.00 to \$11.99 | \$12.00 to \$12.99 | \$13.00 to \$13.99 | \$14.00 to \$14.99 | \$20.00 or over | Not reported | Total or average |
| 1 Weekly expenses under \$30..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 2 |
| 2 \$30 to \$39..... | 1 | ..... | 1 | ..... | 1 | ..... | ..... | 2 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | 7 |
| 3 40 to 49..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 15 |
| 4 50 to 59..... | ..... | ..... | 2 | 3 | 4 | 3 | 1 | 1 | ..... | 1 | ..... | ..... | ..... | ..... | ..... | 51 |
| 5 60 to 69..... | ..... | 2 | 3 | 12 | 5 | 9 | 6 | 4 | 2 | 1 | ..... | ..... | ..... | ..... | ..... | 28 |
| 6 70 to 79..... | ..... | 1 | ..... | 8 | 4 | 7 | 3 | 4 | 3 | 1 | ..... | ..... | ..... | ..... | ..... | 5 |
| 7 80 to 89..... | ..... | ..... | ..... | 1 | ..... | ..... | 3 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 67 |
| 8 90 to 99..... | 1 | ..... | 1 | 13 | 20 | 10 | 6 | 9 | 4 | ..... | 2 | 1 | ..... | ..... | ..... | 21 |
| 9 100 to 109..... | ..... | ..... | ..... | 1 | 3 | 3 | 4 | 5 | 4 | ..... | 1 | ..... | ..... | ..... | ..... | 2 |
| 10 110 to 119..... | ..... | ..... | ..... | 1 | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 22 |
| 11 120 to 129..... | ..... | ..... | 1 | ..... | 1 | 9 | 1 | 7 | 2 | ..... | ..... | ..... | 1 | ..... | ..... | 1 |
| 12 130 to 139..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 2 |
| 13 140 to 149..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 8 |
| 14 150 to 159..... | ..... | ..... | ..... | ..... | 1 | ..... | 1 | ..... | 3 | 2 | ..... | 1 | ..... | ..... | ..... | 8 |
| 15 160 or over..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| 16 Total reporting expenditure..... | 2 | 3 | 8 | 36 | 47 | 43 | 27 | 34 | 19 | 6 | 3 | 2 | ..... | 1 | ..... | 231 |
| 17 Average expenditure..... | \$0 63 | \$0 65 | \$0 66 | \$0 94 | \$0 76 | \$0 83 | \$0 87 | \$0 83 | \$1 02 | \$0 87 | \$0 93 | \$1 20 | \$1 25 | \$1 25 | ..... | \$0 85 |
| 18 Entire lunch taken from home..... | 8 | 17 | 23 | 53 | 33 | 27 | 15 | 8 | 5 | 2 | 2 | ..... | 2 | ..... | ..... | 195 |
| 19 Lunch taken and some food purchased..... | ..... | 1 | 3 | 7 | 8 | 6 | 6 | 3 | 1 | 1 | 1 | ..... | ..... | ..... | ..... | 37 |
| 20 No report..... | ..... | 5 | 15 | 17 | 13 | 4 | 1 | 5 | 2 | ..... | ..... | ..... | ..... | ..... | 4 | 68 |
| 21 Totals..... | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | 1 | 4 | 531 |

TABLE 8
ANNUAL EXPENDITURES FOR CLOTHING OF 531 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY BY WEEKLY EARNINGS

| ANNUAL EXPENDITURES FOR CLOTHING OF 381 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY BY WEEKLY EARNINGS | | | | | | | | | | | | | | | | |
|---|-----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------|---------------|------------------|
| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | |
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII |
| FACTORY FOR CLOTHING | Under \$3.00 | \$3.00 to \$3.99 | \$4.00 to \$4.99 | \$5.00 to \$5.99 | \$6.00 to \$6.99 | \$7.00 to \$7.99 | \$8.00 to \$8.99 | \$9.00 to \$9.99 | \$10.00 to \$10.99 | \$11.00 to \$11.99 | \$12.00 to \$12.99 | \$13.00 to \$13.99 | \$14.00 to \$14.99 | \$20.00 or over | Not re-ported | Total or average |
| | | | | | | | | | | | | | | | | |
| 1 Annual expenditure \$10- | | | | | | | | | | | | | | | | |
| 2 \$19 99..... | | | 1 | 2 | 1 | 1 | 1 | 1 | | | | | | | | 5 |
| 3 \$20 00-\$29 99..... | | 1 | 2 | 3 | 2 | 3 | 2 | 3 | 1 | | | | | | | 12 |
| 4 30 00-39 99..... | 1 | 2 | 1 | 2 | 5 | 2 | 2 | 2 | 2 | 1 | | | | | | 16 |
| 5 40 00-49 99..... | | | | 7 | 2 | 4 | 2 | 2 | 2 | | | | | | | 17 |
| 6 50 00-59 99..... | | | | | 5 | 9 | 13 | 5 | 3 | 2 | | | | | | 38 |
| 7 60 00-69 99..... | 1 | 1 | 1 | 2 | 6 | 4 | 6 | 5 | 3 | | | | | | 1 | 29 |
| 8 70 00-79 99..... | | | | | 2 | 4 | 8 | 4 | | 4 | 2 | 1 | | | | 25 |
| 9 80 00-89 99..... | | | 2 | | 3 | 2 | 2 | | 1 | | | | | | | 8 |
| 10 90 00-99 99..... | | | 1 | | 3 | 5 | 2 | 1 | | | | | | | | 12 |
| 11 100 00-109 99..... | | | | 3 | 1 | 2 | 2 | 3 | 3 | 1 | | 1 | | | | 16 |
| 12 110 00-119 99..... | | | | | 2 | 4 | 6 | 5 | 1 | | 1 | | | | | 21 |
| 13 120 00 or over..... | | | | 1 | | 1 | 1 | 3 | 1 | 1 | | | | 1 | | 9 |
| 14 Total reporting expendi- ture..... | | | | | | | | | | | | | | | | |
| 15 Average expenditure.... | \$50 62 | \$36 42 | \$51 32 | \$64 17 | \$66 78 | \$68 71 | \$77 82 | \$86 50 | \$85 78 | \$87 92 | \$69 33 | | | \$3 00 | | 208 \$99 82 |
| 16 Clothing bought or given by relatives..... | | | | | | | | | | | | | | | | 26 |
| 17 Clothing made by a relative..... | | | | | | | | | | | | | | | | 1 |
| 18 Not classified..... | 8 | 19 | 34 | 76 | 61 | 30 | 18 | 23 | 13 | 4 | 3 | 2 | 2 | | 3 | 296 |
| 19 Totals..... | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | 1 | 4 | 531 |

TABLE 9
MONTHLY DUES OF 531 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | Total or average |
|--|-----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|--------|------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | |
| | Under \$3 00 | \$3 00 to \$3 99 | \$4 00 to \$4 99 | \$5 00 to \$5 99 | \$6 00 to \$6 99 | \$7 00 to \$7 99 | \$8 00 to \$8 99 | \$9 00 to \$9 99 | \$10 00 to \$10 99 | \$11 00 to \$11 99 | \$12 00 to \$12 99 | \$13 00 to \$13 99 | \$14 00 to \$14 99 | \$20 00 to \$20 99 | Not reporting | | |
| 1 Monthly dues..... | 3 | 14 | 20 | 52 | 38 | 30 | 19 | 15 | 7 | 3 | 1 | ..... | 2 | ..... | ..... | 204 | |
| 2 Under \$0 25..... | ..... | ..... | ..... | ..... | 7 | 1 | ..... | 2 | 2 | ..... | ..... | ..... | ..... | ..... | ..... | 12 | |
| 3 \$0 25 to \$0 49..... | ..... | ..... | 2 | 5 | 7 | 6 | 5 | 3 | ..... | ..... | ..... | 1 | ..... | ..... | ..... | 29 | |
| 4 50 to 74..... | ..... | ..... | ..... | 2 | 3 | 2 | 3 | 1 | 2 | ..... | 1 | ..... | ..... | ..... | ..... | 14 | |
| 5 75 to 99..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 2 | |
| 6 1 00 to 1 24..... | ..... | ..... | 1 | ..... | ..... | 2 | 1 | 1 | 2 | 1 | ..... | ..... | ..... | ..... | ..... | 10 | |
| 7 1 25 and over..... | ..... | ..... | ..... | ..... | 2 | 1 | ..... | 2 | 2 | 3 | 1 | ..... | ..... | ..... | ..... | 12 | |
| 8 Number reporting dues..... | ..... | ..... | 3 | 7 | 21 | 12 | 9 | 10 | 9 | 4 | 2 | 1 | ..... | ..... | ..... | 79 | |
| 9 Average dues of those paying..... | ..... | ..... | \$0 60 | \$0 46 | \$0 54 | \$0 69 | \$0 53 | \$0 94 | \$0 84 | \$2 51 | \$1 08 | \$0 40 | ..... | \$2 40 | ..... | \$0 76 | |
| 10 Number reporting on amount of dues..... | 3 | 14 | 23 | 59 | 59 | 42 | 23 | 25 | 16 | 7 | 3 | 1 | 2 | 1 | ..... | 283 | |
| 11 Average amount of dues of those reporting amount of dues..... | ..... | ..... | \$0 08 | \$0 05 | \$0 19 | \$0 20 | \$0 17 | \$0 33 | \$0 47 | \$1 43 | \$0 71 | \$0 40 | ..... | \$2 40 | ..... | \$0 22 | |
| 12 Paid dues but amount not reported..... | ..... | ..... | ..... | 8 | 3 | 3 | 2 | 4 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 21 | |
| 13 Not reporting..... | 7 | 12 | 26 | 46 | 41 | 35 | 19 | 21 | 10 | 2 | 3 | 1 | ..... | ..... | ..... | 227 | |
| 14 Totals..... | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | 1 | 4 | 531 | |

TABLE 10
ANNUAL SAVINGS OF 531 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | WEEKLY EARNINGS | | | | | | | | | | | | | | | | Total or average |
|--|-----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------|-------|------------------|
| | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII | |
| | Under \$3 00 | \$3 00 to \$3 99 | \$4 00 to \$4 99 | \$5 00 to \$5 99 | \$6 00 to \$6 99 | \$7 00 to \$7 99 | \$8 00 to \$8 99 | \$9 00 to \$9 99 | \$10 00 to \$10 99 | \$11 00 to \$11 99 | \$12 00 to \$12 99 | \$13 00 to \$13 99 | \$14 00 to \$14 99 | \$20 00 to \$20 99 | Not reporting | | |
| 1 Reporting savings..... | ..... | ..... | ..... | 3 | 1 | 1 | 2 | ..... | 2 | 3 | ..... | ..... | ..... | ..... | ..... | 12 | |
| 2 Average savings..... | ..... | ..... | ..... | \$29 34 | \$26 00 | \$75 00 | \$40 00 | ..... | \$107 50 | \$53 17 | ..... | ..... | ..... | ..... | ..... | 5,180 | |
| 3 Reporting savings amount not recorded..... | ..... | ..... | ..... | 3 | 3 | 4 | 1 | 2 | 4 | ..... | 1 | ..... | ..... | ..... | ..... | 18 | |
| 4 Total reporting savings..... | ..... | ..... | ..... | 9 | 5 | 6 | 6 | 2 | 8 | 6 | 1 | ..... | ..... | ..... | ..... | 43 | |
| 5 Reporting no savings..... | 4 | 14 | 26 | 61 | 58 | 44 | 20 | 25 | 11 | 2 | 3 | ..... | ..... | 1 | ..... | 269 | |
| 6 Total reporting as to savings..... | 4 | 14 | 26 | 70 | 63 | 50 | 26 | 27 | 19 | 8 | 4 | ..... | ..... | 1 | ..... | 312 | |
| 7 Per cent. having savings..... | ..... | ..... | ..... | 12 9 | 7 9 | 12 0 | 23 1 | 7 4 | 42 1 | 75 0 | 25 0 | ..... | ..... | ..... | ..... | 138 | |
| 8 Not reported..... | 6 | 12 | 23 | 43 | 40 | 30 | 23 | 23 | 8 | 1 | 2 | 2 | 2 | ..... | ..... | 219 | |
| 9 Totals..... | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | 1 | 4 | 531 | |

TABLE 11
WEEKLY SPENDING MONEY OF 531 WOMEN EMPLOYED IN CANDY, PAPER-BOX, AND SHIRT FACTORIES IN NEW YORK CITY BY WEEKLY EARNINGS

| I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV | XVI | XVII |
|---|--------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|--------------------|--------------------|--------------------|--------------------|------------------|---------------|------------------|
| WEEKLY EARNINGS | | | | | | | | | | | | | | | | |
| | Under \$3 00 | \$3 00 to \$3 99 | \$4 00 to \$4 99 | \$5 00 to \$5 99 | \$6 00 to \$6 99 | \$7 00 to \$7 99 | \$8 00 to \$8 99 | \$9 00 to \$9 99 | \$10 00 to \$10 99 | \$11 00 to \$11 99 | \$12 00 to \$12 99 | \$13 00 to \$13 99 | \$14 00 to \$14 99 | \$20 00 and over | Not reporting | Total or average |
| 1 Spending money..... | 4 | 10 | 12 | 16 | 11 | 12 | 5 | 5 | 3 | 2 | 2 | ..... | ..... | 1 | ..... | 83 |
| 2 Under \$0.3750..... | 1 | 10 | 11 | 29 | 19 | 14 | 5 | 5 | 2 | 1 | 1 | ..... | 1 | ..... | ..... | 99 |
| 3 \$0.38 to \$0.62..... | 1 | 2 | 6 | 24 | 18 | 14 | 9 | 9 | 4 | ..... | ..... | ..... | ..... | ..... | ..... | 87 |
| 4 63 to 87..... | ..... | ..... | 1 | 4 | 2 | 3 | 4 | 3 | 1 | 2 | 2 | ..... | ..... | ..... | ..... | 22 |
| 5 88 to 112..... | ..... | 1 | 2 | 9 | 8 | 9 | 9 | 9 | 5 | 1 | ..... | ..... | ..... | ..... | ..... | 53 |
| 6 113 to 137..... | ..... | ..... | ..... | ..... | ..... | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 |
| 7 138 to 162..... | ..... | ..... | ..... | 2 | 3 | 1 | 3 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 10 |
| 8 163 or over..... | ..... | ..... | ..... | ..... | ..... | ..... | 1 | 1 | 1 | ..... | ..... | ..... | ..... | ..... | ..... | 3 |
| 9 Total reporting having spending money..... | 2 | 13 | 20 | 68 | 50 | 42 | 31 | 28 | 13 | 4 | 3 | ..... | 1 | ..... | ..... | 275 |
| 10 Average spending money of those having spending money..... | \$0 40 | \$0 31 | \$0 41 | \$0 51 | \$0 53 | \$0 57 | \$0 78 | \$0 72 | \$0 76 | \$0 65 | \$0 77 | ..... | \$0 25 | ..... | ..... | \$0 57 |
| 11 Average spending money of all reporting on spending money..... | \$0 13 | \$0 17 | \$0 18 | \$0 41 | \$0 44 | \$0 45 | \$0 67 | \$0 61 | \$0 62 | \$0 43 | \$0 46 | ..... | \$0 25 | ..... | ..... | \$0 44 |
| 12 Not reporting..... | 4 | 3 | 17 | 29 | 42 | 26 | 13 | 17 | 11 | 3 | 1 | 2 | 1 | ..... | 4 | 173 |
| 13 Total..... | 10 | 26 | 49 | 113 | 103 | 80 | 49 | 50 | 27 | 9 | 6 | 2 | 2 | 1 | 4 | 531 |

TABLE 12. INDUSTRIAL LIFE INSURANCE
(Non-participating)
ADULT TABLE

SHOWING THE AMOUNT OF INSURANCE WHICH WILL BE ISSUED IF THE APPLICANT IS TEN YEARS OF AGE NEXT BIRTHDAY, OR OVER, ON THE PAYMENT OF TEN CENTS* WEEKLY PREMIUM.

Policy payable at death only. Premiums cease at age 75

| Age | Ten cents | Age | Ten cents | Age | Ten cents | Age | Ten cents | Age | Ten cents | Age | Ten cents |
|---------|-----------|---------|-----------|---------|-----------|---------|-----------|---------|-----------|---------|-----------|
| 10..... | ..... | 20..... | \$210 00 | 30..... | \$158 00 | 40..... | \$114 00 | 50..... | \$76 00 | 60..... | \$44 00 |
| 11..... | \$280 00 | 21..... | 204 00 | 31..... | 152 00 | 41..... | 110 00 | 51..... | 72 00 | 61..... | 42 00 |
| 12..... | 250 00 | 22..... | 198 00 | 32..... | 148 00 | 42..... | 106 00 | 52..... | 70 00 | 62..... | 40 00 |
| 13..... | 270 00 | 23..... | 192 00 | 33..... | 144 00 | 43..... | 102 00 | 53..... | 66 00 | 63..... | 36 00 |
| 14..... | 260 00 | 24..... | 186 00 | 34..... | 140 00 | 44..... | 98 00 | 54..... | 62 00 | 64..... | 34 00 |
| 15..... | 250 00 | 25..... | 180 00 | 35..... | 136 00 | 45..... | 94 00 | 55..... | 60 00 | 65..... | 32 00 |
| 16..... | 240 00 | 26..... | 176 00 | 36..... | 132 00 | 46..... | 90 00 | 56..... | 56 00 | ..... | ..... |
| 17..... | 232 00 | 27..... | 172 00 | 37..... | 128 00 | 47..... | 86 00 | 57..... | 54 00 | ..... | ..... |
| 18..... | 224 00 | 28..... | 166 00 | 38..... | 122 00 | 48..... | 84 00 | 58..... | 50 00 | ..... | ..... |
| 19..... | 216 00 | 29..... | 162 00 | 39..... | 118 00 | 49..... | 80 00 | 59..... | 48 00 | ..... | ..... |

* If the payment is increased the insurance is increased proportionately; for example, at age twenty, a payment of twenty cents weekly secures a policy of \$420.00. Premium rates apply to either sex.

APPENDIX 5
A STUDY OF FAMILIES

[1783]

A STUDY OF FAMILIES

Although the conclusions for the study of the families were presented in the text it is well to offer enough of the details concerning this line of investigation to show how the conclusions were obtained. The purpose, therefore, of this Appendix is to describe the actual conditions in a number of families both above and below the line set as that of a minimum living expenditure, in order that the reader may see for himself what were the circumstances surrounding these households. Thus the material is here offered for confirming the conclusions presented in the text, but it should be remembered that this particular phase of the study was made with a view to checking the other. The reason for paying such slight attention to the family schedules in the main text was the fear of over-burdening with details the main argument.*

FAMILIES IN NEW YORK CITY

The families visited in New York City were selected mainly from lists furnished by the Hudson Guild and by the Labor Temple. These families were, perhaps, a bit above the average in intelligence but an attempt was made to find only those having an income not more than \$20 per week nor less than \$12 as it was believed that the living expenditure was probably between those two sums. It was early proved that the housewife is incapable of giving offhand an exact statement of her expenditures. Therefore no attempt has been made to tabulate outlays. Similarly, it was impossible in the week or so during which a family could receive the attention of the investigator to determine the annual income. Very frequently periods of unemployment were understated or at least inaccurately estimated: so the study is confined to the actual incomes for a week.

Thirty-four families were visited in Manhattan; 11 of them had 2 wage-earners, 2 of them had 3 wage-earners and 2 had 4; the other 19 had each but 1 representative in industry. In 4 cases the mother worked casually, but it was the intention of the agents

* The schedules used in this investigation are reproduced at the end of the Appendix.

to visit only families in which the mother spent her whole time attending to domestic duties. Eight of these families were the hosts of boarders or lodgers. The nationalities represented were fairly typical of the New York population. There were 7 families American for over two generations, and 6 Irish-American families the parents of both adult members of each of these families having been born in Ireland; there were 7 Irish households, 5 Italian, 2 Austrian-Jewish, 2 Russian-Jewish, 1 German-Jewish, 1 Scotch-Irish, 1 Dutch, 1 English-Irish and 1 family, the father of which came from the West Indies. Thus the selection of households was rather varied and yet it was confined to the principal nationalities of the working class of the city.

A few general remarks may be allowed before proceeding to the detailed description of these households. In the first place, the supplies for the table were largely purchased from neighborhood stores, the same kind of stores as those which were visited in obtaining the price quotations which were given in the main text; but some of the families traded largely with push carts and a very few occasionally visited the department stores in their search for bargains. As the grade of families was rather high in intelligence most of the women were neat, but two instances were found in which the housekeeping was very slovenly. The interest of this investigation was mainly in the study of the breadth of life. It is, therefore, advisable to note a few specific facts about these families. The men of fourteen of them belonged either to labor unions or to some sort of fraternal orders. These orders generally entailed an expenditure of approximately fifty cents a week. Twenty-six of the families carried some form of life insurance. In almost every case other members than the father were insured. The usual custom seems to be to purchase only industrial insurance, but it was found that a considerable proportion of the cases that the father carried the old line policy and that industrial insurance was written for the wife and sometimes the children. Twenty-three of the families read newspapers but only two took to magazines. A great many of the men spend Sunday morning reading the Sunday papers. The use of the library was not very wide as only fifteen families had members, generally children who drew books from the public or settlement libraries.

Some mothers had been compelled to forbid their children to draw books because the youngsters were negligent about returning the volumes and incurred fines. Not many of the families owned anything in the way of a library. Some of the children had books and some of the Jewish families had considerable collections of old Jewish volumes but aside from that there seemed to very little interest in literature.

Another important matter in the life of the family is its amusement. A large proportion (thirteen) report car rides as one of the regular forms of recreation. To some of these households car rides came only occasionally, once a week or once a month; and for a few families the car ride was the only form of amusement known. Nine of the households took walks, several reporting that on Sundays they walked to Central Park or to some other place of amusement. There were but five that reported a vacation and these vacations seem to have been due to the fact that the Hudson Guild aided its members to obtain cheap board. The theatre was enjoyed by only four families, and one of which reported an expenditure of \$3 a year for the theatre, another of \$1.30. The motion pictures were indulged in by eleven families, and one of these went only to the free pictures in Chelsea Park. Seven families reported that members attended dances and two that the father witnessed baseball games, but these games seemed to be amateur Sunday games where no admission fee was charged. One of the fathers occasionally went fishing. Two of the women described their amusement as sitting on the front steps gossiping. Three reported that they entertained company once in a while and seven occasionally visited relatives or friends. Altogether thirty-one families reported some form of amusement but a close study shows that this amusement cost them very, very little and was extremely circumscribed. For instance, one family reported that the girl was sometimes taken to the movies, another that they went to the Park once in a while, another that the girl went occasionally to dances at the Hudson Guild; another family of ten spent ten cents a week on the motion pictures, another took car rides but they seem to have been very few and far between as the expenditures allowed for them was but twenty-five cents a month. Still another household reported their only amusement as sitting on the front steps

Saturday night and occasionally entertaining company; while another limited its carfare expenditures, the only amusement being these rides and walks to the parks, to ten cents a month. Thus it is perfectly apparent that these families really had next to no expenditures for amusement, that their lives contained little beyond the dull grind of living.

In order to show how the life of the family was actually regulated a few households will be described in some detail.

FAMILY NUMBER ONE

Family No. 1 was that of a German-Jew who lived on West 17th street. The father was a salesman, aged forty-five, who earned \$15 a week and seems to have been employed the year around. He had seven children for whom his wife cared to the best of her ability. The family occupied an apartment that cost them \$15 a month. It was in poor condition but part of the difficulty was due to poor housekeeping. The family menu was for a week as follows:

Sunday

Breakfast — Milk, coffee, sugar, eggs, bread, butter, oatmeal.
Lunch — Meat, potatoes, bread, tea, cabbage, lettuce.
Supper — Cold meat, bread, tea, milk, sugar, butter, cake.

Monday

Breakfast — Milk, coffee, sugar, rolls, butter, oatmeal.
Lunch — Tea, milk, bread, butter, fruit.
Supper — Warmed up meat, potatoes, bread, butter, tea, sugar, milk.

Tuesday

Breakfast — Milk, coffee, sugar, eggs, bread, butter, oatmeal.
Lunch — Bread, jelly, butter, sugar, milk, tea.
Supper — Meat, greens, tomatoes, potatoes, bread, butter, tea.

Wednesday

Breakfast — Milk, coffee, rolls, sugar, butter, oatmeal.
Lunch — Cold meat, bread, butter, tea, milk.
Supper — Chopped meat, cabbage, milk, bread, tea, jelly, sugar, butter.

Thursday

Breakfast — Milk, rolls, coffee, butter, sugar, oatmeal.
Lunch — Bread, butter, tea, sugar, milk.
Supper — Meat, potatoes, bread, butter, tea, sugar, milk.

Friday

Breakfast — Rolls, milk, coffee, butter, sugar, oatmeal.
Lunch — Bread, butter, tea, sugar, milk.
Supper — Steak, carrots, onions, bread, potatoes, butter, tea, milk.

Saturday

Breakfast — Bread, coffee, oatmeal, milk, sugar, butter.
Lunch — Bread, tea, fruit, butter, sugar, milk.
Supper — Cold meat, tomatoes, bread, tea, milk, sugar, butter, cake.

It will be seen by this that the articles were fairly nutritious but there is noticeable a great monotony except perhaps for the suppers.

The clothing of this family was mostly presented by the philanthropic societies at Christmas and by relatives at other times during the year when particularly needed. The stock of clothing was not very great. The list for the family follows:

For the father — Two hats; 1 suit; 2 dress shirts; 6 ties; 1 suit summer underwear; 1 pair gloves; 1 pair suspenders; 1 overcoat; 2 pair trousers; 12 collars; 1 night shirt; 2 pair stockings; 1 pair shoes.

For the mother — One hat; 1 coat; 2 wash dresses; 2 waists; 2 pair stockings; 1 corset; 2 petticoats; 1 suit summer underwear; 1 suit winter underwear; 2 night dresses; 1 pair shoes; 1 suit.

The children's lists were too incomplete to list. A perusal of these clothing lists will show that the family could not be considered amply clad.

The father was a Forester, it cost him \$1.43 a month to belong to this order. Insurance was carried by the father and by all the other members of the family except the baby. Fifteen cents a week was the expenditure for the mother's insurance and ten cents for the father and each of the children.

For amusement the oldest girl from this family went to the Hudson Guild once in a while, two of the girls took car rides occasionally and one also went to the dances in the Hudson Guild gymnasium which cost two cents a week. On Sunday the father read his paper and took a walk. This family did not use library cards but occasionally visited the reading rooms, and they owned ten novels.

The health in general was pretty good although the teeth of the mother and three of the children were very poor and the family had to go constantly to the dispensaries for slight ailments. It can be readily seen from the data that have been given that this family was not reaching a passable standard of living.

FAMILY NUMBER THREE

Family No. 3 was composed of two Russian Jews and their six children; the oldest a boy of fifteen earned \$4.50 a week when he was working. A younger boy, aged nine, earned about \$4.50 a week and the father who was a shirt presser was employed the year round at about \$9 a week. This family had one male lodger who paid them \$3 a month. Thus their total income was not to exceed \$18.75.

The food of this family is shown in the following menu:

Sunday

Breakfast — Coffee, bread.
Lunch — Meat, potatoes, bread.
Supper — Tea, rolls, butter, herring, fresh onions.

Monday

Breakfast — Cocoa, rolls.
Lunch — Cheese, cream, bread.
Supper — Meat, beans, bread.

Tuesday

Breakfast — Coffee, cake.
Lunch — Lax, bread, butter.
Supper — Meat, rolls, cucumber.

Wednesday

Breakfast — Tea, cake.
Lunch — Bread, butter, tea.
Supper — Meat, bread.

Thursday

Breakfast — Tea, cake.
Lunch — Potatoes, coffee, bread.
Supper — Milk, soup, bread, tomatoes.

Friday

Breakfast — Coffee, bread.
Lunch — Cream, bananas, rolls.
Supper — Fish, coffee, twist.

Saturday

Breakfast — Cocoa, rolls.
Lunch — Fish, twist, meat.
Supper — Herring, bread, oatmeal.

A slight inspection of this will show that the diet was as unvaried as that of the first family and, moreover, the bill of fare seems inadequate. The father had to buy his diners away from home, a practice that cost \$1 a week.

The members of the family had clothes as follows:

For the father — 2 hats; 1 suit; 4 dress shirts; 2 ties; 2 pair stockings; 1 pair shoes; 1 overcoat; 1 pair trousers; 12 collars; 2 suits summer underwear; 2 suits winter underwear.

For the mother — 1 hat; 2 petticoats; 1 night dress; 20 handkerchiefs (for all); 1 pair shoes; 1 suit; 6 waists; 3 suits summer underwear; 2 suits winter underwear; 3 pair stockings; 1 corset.

The lists for the children were so incomplete it was not deemed wise to give them. The clothing supply, it appears from these lists, while enough to cover the bodies was by no means ample for decent living.

The father belonged to a lodge which cost him \$15 a year, but he did not carry any life insurance.

For amusement the family went to the motion pictures occasionally and to dances once a week during the summer. Company was sometimes entertained and the mother would go to visit her brother in the Bronx at times. On Saturday night the oldest boy, who was working, would go out and use his twenty-five cents spending money on the moving pictures and car fare. On Sunday they read the newspapers but seem to have done little else. The nine and ten year old children, a boy and a girl, drew books from the public library.

As far as health goes this family was apparently sound, except that the father, mother, and three of the children had bad teeth. It seems very certain that this family was not making good economically.

FAMILY NUMBER EIGHT

Family No. 8 is that of a Russian Jew, who, with his wife and three children, the oldest a girl of twenty-one, live on East 13th street, New York. They took one man and two girls in as lodgers thus increasing their income to \$26.50 a week.

The menu as will be seen is monotonous, the breakfast and suppers being practically the same every day in the week. It is doubtful if from such a selection of food sufficient nutrition could be obtained.

Sunday

Breakfast — Rolls, coffee, eggs, butter.
Lunch — Bread, steak, soup.
Supper — Bread, coffee, butter, eggs.

Monday

Breakfast — Rolls, cocoa, butter, oranges.
Lunch — Bread, eggs, milk, butter.
Supper — Meat, soup, bread, tomatoes.

Tuesday

Breakfast — Rolls, cocoa, eggs, butter.
Lunch — Bread, fish, soup.
Supper — Meat, soup, bread.

Wednesday

Breakfast — Rolls, cocoa, eggs, butter.
Lunch — Rolls, butter, eggs, milk.
Supper — Meat, soup, bread.

Thursday

Breakfast — Rolls, cocoa, eggs, butter.
Lunch — Meat, soup, bread.
Supper — Meat, soup, bread.

Friday

Breakfast — Rolls, coffee, butter, bananas.
Lunch — Rolls, milk, eggs, butter.
Supper — Meat, soup, bread, pickle.

Saturday

Breakfast — Rolls, coffee, butter, milk.
Lunch — Meat, fish, soup.
Supper — Eggs, milk, coffee, rice.

The father used to belong to a labor union but dropped out a year ago. He now belongs to a lodge which costs him \$20 a year, and he pays \$15 a year to the synagogue. The only life insurance carried by the family is on the mother at the rate of twenty cents a week.

The whole family spend for amusement about twenty-five cents a month, divided between car fares, theatres and moving pictures but they occasionally entertain company or visit. Two of the children, a boy and a girl, have library cards but there are no expenditures for education. The man goes to the synagogue every Saturday and has a library of about fifteen Jewish books.

The health of the oldest girl and of the mother is very poor. The family is not quite able to keep out of debt, as last year they fell behind in both their grocery and butcher bills while the man was temporarily out of work.

The clothing lists which are appended show that this family was better clad than either of the other two.

For the father — One hat, 1 overcoat, 2 suits, 2 pairs trousers, 4 shirts, 3 pairs stockings, 2 pairs shoes, 1 pair rubbers, 2 collars, 2 ties, 3 night shirts, 3 suits summer underwear, 3 suits winter underwear.

For the mother — Two hats, 1 wash dress, 2 other dresses, 2 suits summer underwear, 4 night dresses, 6 pairs stockings, 1 corset, 1 coat, 2 waists, 2 petticoats, 3 suits winter underwear, 15 handkerchiefs, 2 pairs shoes, 1 skirt.

For the boy of fourteen — 1 hat, 1 overcoat, 2 suits, 2 pairs trousers, 4 shirts, 3 pairs stockings, 1 pair rubbers, 2 collars, 2 ties, 3 night shirts, 3 suits summer underwear, 3 suits winter underwear, 2 pairs shoes.

For the daughter of twenty-one — Two hats, 1 coat, 1 wash dress, 2 other dresses, 2 waists, 2 petticoats, 1 corset, 2 suits summer underwear, 2 suits winter underwear, 4 night dresses, 15 handkerchiefs (for all), 6 pairs stockings, 2 pairs shoes, 1 skirt.

For the girl of sixteen — Two hats, 1 coat, 1 wash dress, 1 other dress, 3 waists, 3 petticoats, 1 corset, 2 suits summer underwear, 2 suits winter underwear, 5 night dresses, 1 pair gloves, 2 pairs shoes, 1 pair rubbers, 1 skirt.

FAMILY NUMBER NINE

Family No. 9 consists of an Irishman aged thirty-seven, his wife aged forty, and two children, a boy of ten and a girl of seven. This family enjoys a weekly income of about \$18.50, the man earning \$14 and his wife \$4.50 in chamber work for five hours a day.

The menu of this family shows a uniform breakfast, a rather good lunch and an even better supper, with enough variety.

Sunday

Breakfast — Bacon and eggs.

Lunch — Ham, cabbage, potatoes, coffee.

Supper — Cold meat, tea, bread and butter.

Monday

Breakfast — Boiled eggs, rolls, coffee.

Lunch — Meat left over from Sunday, stew of lamb.

Supper — Coffee, bread, butter, lamb stew left over.

Tuesday

Breakfast — Rolls and coffee.

Lunch — Stew of lamb, tea, bread and butter.

Supper — Lamb stew left over from lunch, tea, bread and butter.

Wednesday

Breakfast — Rolls and coffee.

Lunch — Liver and bacon, potatoes, tea, bread and butter.

Supper — Pork chops, potatoes, beets and tea.

Thursday

Breakfast — Rolls and coffee.

Lunch — Chopped meat, potatoes, tea, bread, butter.

Supper — Frankfurters, sourkraut, tea, bread, butter.

Friday

Breakfast — Rolls and coffee.

Lunch — Fish, potatoes, tea, bread, butter.

Supper — Fried eggs and beer.

Saturday

Breakfast — Rolls and coffee.

Lunch — Soup, boiled beef, tea, bread and butter.

Supper — Lamb chops, tea, bread and butter.

Two of the children belong to clubs at the Hudson Guild but the father does not belong to either a fraternal order or a union. He carries an old-line life insurance policy and the mother and children carry industrial insurance.

This family spends something on amusement. Probably \$5 a month for car rides and trips to Celtic Park. They patronize the free moving picture shows in Chelsea Park. On Saturday nights the husband walks to market and purchases a considerable portion

of the week's food supplies. On Sunday they all go to church in the morning, and in the afternoon the man and a couple of his children go to the Park where he reads the newspaper and the children play. The family owns no books and does not use a library, but reads the newspapers with regularity. Neither the husband or wife is robust, although both are able to keep at their work. The rooms occupied by this family are dark, being a "railroad" apartment. Only one out of four has outside light. It seems that the woman is a very efficient and neat housekeeper.

The clothes of this family are largely bought on the installment plan, although some for the children are purchased for cash in the neighborhood stores. The list follows:

For the father — Two hats, 1 overcoat, 2 suits, 3 pairs trousers, 2 pairs overalls, 2 night shirts, 4 pairs stockings, 2 pairs shoes, 2 workshirts, 2 dress shirts, 6 collars, 4 ties, 12 handkerchiefs, 2 suits underwear (summer), 2 suits underwear (winter), 1 pair gloves.

For the mother — One hat, 1 wash dress, 2 petticoats, 2 night dresses, 6 handkerchiefs, 5 pairs stockings, 1 corset, 1 coat, 3 waists, 3 suits summer underwear, 2 suits winter underwear, 2 pairs gloves, 2 pairs shoes, 2 skirts.

For the boy of ten — Two hats, 1 overcoat, 2 suits, 2 pairs trousers, 1 pair overalls, 2 dress shirts, 1 pair shoes, 1 pair gloves, 4 ties, 4 handkerchiefs, 2 night shirts, 2 suits summer underwear, 2 suits winter underwear, 6 pairs stockings, 1 pair rubbers.

For the girl of seven — 1 hat, 1 coat, 4 wash dresses, 4 other dresses, 2 underwaists, 3 petticoats, 1 pair rubbers, 3 suits summer underwear, 3 suits winter underwear, 2 night dresses, 4 handkerchiefs, 6 pairs stockings, 2 pairs shoes.

This family is hardly above the minimum cost of living. They have gone into debt for furniture which they are buying on the installment plan but if they had not made this purchase they would probably be square with the world. The only reason for saying that this family is below standard is that their rooms are dark.

FAMILY NUMBER ELEVEN

Family No. 11 is Irish-American, consisting of a father who is a truck driver, earning \$15 a week, his wife and four children, the eldest thirteen years and the youngest twenty-one months old. This family lives in a three-room apartment which is scantily furnished.

The menu, which follows, is perhaps typical. The breakfasts and suppers are the same the week through and there is some allowance for variety at dinner. This leads to an incidental remark that if the man comes home at noon the dinner seems to be the good meal of the day in a great many families. If, on the other hand, the man does not return home until evening supper is the meal which is of especial importance.

Sunday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Pork chops, green peas, green corn, bread, butter.

Supper — Bread, butter, tea, milk, sugar, jelly, beer.

Monday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Soup, bread, butter, tea, milk, sugar.

Supper — Bread, butter, tea, milk, sugar, beer.

Tuesday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Beef stew, carrots, onions, barley, potatoes.

Supper — Bread, butter, tea, milk, sugar, beer.

Wednesday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Corned-beef sandwiches, tea, sugar, milk.

Supper — Bread, butter, tea, milk, sugar, jelly, beer.

Thursday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Cold boiled ham sandwiches.

Supper — Bread, butter, tea, milk, sugar, beer.

Friday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Stew warmed up.

Supper — Bread, butter, tea, milk, sugar, beer.

Saturday

Breakfast — Coffee, buns, sugar, milk, butter, tea, bread.

Lunch — Mashed potatoes.

Supper — Bread, butter, tea, milk, sugar, beer.

The husband in this family belongs to a labor union but is five months behind in the payment of his dues. The whole family is insured in two of the industrial companies at a cost of \$1.06 a week.

For amusement, the woman sits on her front steps and gossips with her neighbors. The children play in Chelsea park and attend the free moving picture shows most evenings of the week. The boy has been sent by Hudson Guild on a two weeks' free vacation, and two girls expect to go later. Every Saturday night the man goes out for a shave and afterward treats his friend at one of the saloons. This costs about twenty-five cents per week. They do not go to church on Sunday but read the papers, the man going out for one meal. They do not use the library, for the boy, who had a card, incurred so many fines that it was difficult for the family to pay them.

The health of this family seems to be beyond reproach for the only visible sign of trouble was the fact that the baby was teething.

The clothing lists of this family follow. It will be seen that the expenditures are very small and that the wardrobe of the mother could hardly be considered quite adequate. She has no suit, and the only skirt she has was given to her.

For the father — One hat; 1 pair trousers; 6 collars; 6 ties; 2 suits summer underwear; 2 suits winter underwear; 2 pairs rubbers; 1 suit; 2 work shirts; 2 dress shirts; 6 handkerchiefs; 2 pairs stockings; 2 pairs shoes; 2 pairs gloves.

For the mother — One coat; 6 waists; 2 petticoats; 4 night dresses; 4 handkerchiefs; 1 skirt; 2 wrappers; 2 kimono's; 2 suits summer underwear; 2 suits winter underwear; 2 pairs stockings; 2 pairs shoes.

For the boy of thirteen — Two hats; 1 overcoat; 2 suits; 1 pair trousers; 2 overalls; 4 work shirts; 1 pair gloves; 4 dress shirts; 6 handkerchiefs; 3 undershirts (summer); 2 undershirts (winter); 2 pairs stockings; 1 pair shoes.

For the girl of five — Two hats; 1 coat; 6 wash dresses; 2 other dresses; 2 petticoats; 2 suits summer underwear; 2 suits winter underwear; 2 night dresses; 1 pair gloves; 2 pairs stockings; 2 pairs shoes; 1 pair rubbers.

For the girl of four — Two hats; 1 coat; 6 wash dresses; 1 other dress; 3 petticoats; 2 suits summer underwear; 2 suits winter underwear; 2 night dresses; 1 ribbon; 1 pair gloves; 2 pairs stockings; 2 pairs shoes; 1 pair rubbers.

For the girl of twenty-one months — One hat 1 coat, 4 wash dresses; 3 petticoats; 4 suits summer underwear; 4 suits winter underwear; 2 night dresses; 2 pairs stockings; 1 pair shoes.

This family, then, of six on \$15 a week seems to be unable to make both ends meet. They owe the butcher and they owe for a stove. Possibly these debts would have been paid had not the man been sick from February to July, 1913, but certainly their income of \$15 a week is not enough to support them.

FAMILY NUMBER TWELVE

Family No. 12 is Italian. It consists of a father and mother and five children. The father earns \$12 a week and his income is supplemented by the \$19 a month paid by a boarder. The apartment is very scantily furnished. The two bedrooms have no chairs at all and the other rooms have only what is absolutely essential.

The food of this family is very monotonous, macaroni being very prominent in the dietary. The menu is appended.

Sunday

Breakfast — Milk, coffee, sugar and bread.
 Lunch — Meat, macaroni, apples, beer.
 Supper — Ham, salad, bread, beer.

Monday

Breakfast — Milk, coffee, sugar and bread.
 Lunch — Cakes, peperonies, eggs, lemon soda, milk.
 Supper — Macaroni, potatoes, vegetables.

Tuesday

Breakfast — Milk, coffee, sugar and bread.
 Lunch — Eggs, salt and bread.
 Supper — Macaroni, potatoes, tomatoes, lard, peas, beer.

Wednesday

Breakfast — Milk, coffee, sugar and bread.
 Lunch — Ham, bread, eggs, salt.
 Supper — Meat, tomatoes, salt, macaroni, potatoes, beer.

Thursday

Breakfast — Milk, coffee, sugar and bread.
 Lunch — Eggs, salt, bread, soda, bananas.
 Supper — Macaroni, potatoes, tomatoes, meat.

Friday

Breakfast — Milk, coffee, sugar and bread.
 Lunch — Fish, milk, soda, cakes, bread.
 Supper — Macaroni, tomatoes, potatoes, vegetables, bread.

Saturday

Breakfast — Milk, coffee, sugar, bread.
 Lunch — Meat, fruit, soda, cakes, bread.
 Supper — Macaroni, butter, potatoes, salad, oil, cheese.

The father belongs to a labor union which costs him fifty cents a month and to a church which costs the whole family fif-

teen cents a week. The family does absolutely nothing for amusement except to go to the park Sunday afternoons. They do not use the libraries at all and buy papers only occasionally. The man was sick one month during the last year and the baby is at present ill. The wife is a fairly good housekeeper.

The clothing lists appended show that the family is, while not in rags, not adequately arrayed. This family seems to be, in some respects, in a pitiful condition. Twelve dollars a week plus the profit from the boarder is certainly not adequate to maintain it.

For the father — Two hats; 2 pairs trousers; 1 pair overalls; 2 work shirts; 1 dress shirt; 1 pair shoes; 2 pairs gloves; 2 suits; 2 ties; 2 suits summer underwear; 2 suits winter underwear; 3 pairs stockings; 1 pair rubber boots.

For the mother — One coat; 2 wash dresses; 1 other dress; 1 waist; 1 pair shoes; 1 suit; 2 petticoats; 2 suits summer underwear; 2 suits winter underwear; 2 pairs stockings; 1 sweater.

The clothing lists for the children are too incomplete for listing.

FAMILY NUMBER SEVENTEEN

Family No. 17 is an American family consisting of a young man of twenty-six, his wife and two children, the eldest a girl of seven and the youngest a girl of one year. The husband is a loader on the dock and makes about \$18 a week, although he was employed only about forty-five weeks during the last year. This family has a three-room apartment which is pretty well furnished.

Their diet may be seen from the menu which follows:

Sunday

Breakfast — Veal cutlet, bread, coffee, tomatoes, cake.
 Lunch — Steak, potatoes.
 Supper — Ham, cake, coffee.

Monday

Breakfast — Coffee, rolls, eggs (for man).
 Lunch — Soup, bread, tea, or milk.
 Supper — Meat, potatoes and gravy, bread, butter.

Tuesday

Breakfast — Coffee, rolls, eggs (for man).

Lunch — Soup.

Supper — Beef tenderloin, peas and gravy, bread, butter.

Wednesday

Breakfast — Coffee, rolls, eggs (for man).

Lunch — Soup.

Supper — Liver and bacon, potatoes and gravy.

Thursday

Breakfast — Coffee, rolls, eggs (for man).

Lunch — Stew.

Supper — Stew.

Friday

Breakfast — Coffee, rolls, eggs (for man).

Lunch — Soup.

Supper — Eggs and potatoes.

Saturday

Breakfast — Coffee, rolls, eggs (for man).

Lunch — Soup.

Supper — Chops and peas, tea, cake.

The breakfast, it will be seen, is monotonous but good. The lunches are for the mother and child only, the heavy meal at supper usually contains something really substantial, although it is quite plain.

The mother belongs to a club at the Hudson Guild which costs her twenty-five cents a month for membership. The whole family is insured at a cost of thirty-three cents a week, ten cents a week for each except the baby.

The amusements are very limited. They spend about \$3 a year on the theatre and *five cents a month* on pleasure trips in the street cars. They did go to the country for two weeks during the summer at a cost of \$25. On Sunday the husband goes to Rock-away beach for an outing. The mother and children take walks as a rule.

This family is in good health except the baby who has needed the doctor several times during the past year. The rooms are clean, the housekeeping being excellent, and the clothing in fairly

good condition. This family went into debt last year \$175 but the debt was incurred in the purchase of a piano, and it might be well said that the family is in every way coming up to a decent standard of living.

The clothing list follows:

For the father — Four hats; 1 suit; 6 work shirts; 30 ties; 4 suits summer underwear; 4 suits winter underwear; 2 pair gloves; 1 overcoat; 1 pair trousers; 16 collars; 24 handkerchiefs; 18 pair stockings; 2 pair shoes.

For the mother — Three hats; 1 dress; 1 petticoat; 4 night dresses; 2 pair gloves; 2 pair shoes; 1 corset; 1 coat; 7 waists; 4 suits underwear (summer); 18 handkerchiefs; 9 pair stockings; 1 pair rubbers; 1 suit.

For the girl of seven — Two hats; 1 coat; 11 wash dresses; 2 other dresses; 7 petticoats; 2 pair shoes; 3 suits summer underwear; 2 suits winter underwear; 4 night dresses; 2 pair gloves; 12 pair stockings; 1 pair rubbers.

For the girl of one — Five hats; 1 coat; 15 wash dresses; 14 petticoats; 13 pair stockings; 3 suits summer underwear; 3 suits winter underwear; 3 night dresses; 1 pair gloves; 4 pair shoes.

FAMILY NUMBER NINETEEN

This family consists of a truck driver aged twenty-eight, who earns regularly \$16.50 a week, his wife and three children, the oldest aged six and the youngest a baby of five months. Both the father and the mother are of the second American generation. They occupy a four-room apartment equipped in good shape as far as the actual articles of furniture are concerned.

The menu which follows shows a considerable variety in the selection of food although at no meal are there many dishes served.

Sunday

Breakfast — Cereal, coffee, cake, milk.

Lunch — Lamb, potatoes, beans, tea, milk.

Supper — Tea, cake.

Monday

Breakfast — Cereal, coffee, rolls, milk.

Lunch — Beans, tea, milk.

Supper — Lamb, potatoes, tea.

Tuesday

Breakfast — Cereal, coffee, rolls, milk.

Lunch — Steak, tea, milk.

Supper — Mutton, potatoes, tea.

Wednesday

Breakfast — Coffee, milk, bacon, eggs.

Lunch — Chops, tea, milk.

Supper — Steak, potatoes.

Thursday

Breakfast — Cereal, coffee, milk, rolls.

Lunch — Bologna and ham.

Supper — Kidney stew.

Friday

Breakfast — Cereal, coffee, milk, rolls.

Lunch — Sardines.

Supper — Fish, potatoes.

Saturday

Breakfast — Cereal, coffee, milk, rolls.

Lunch — Peas.

Supper — Chopped meat, potatoes, cake.

The father belongs to a labor union which costs him forty cents a month and the whole family is insured at the rate of about sixty cents a week.

For amusement they go to dances but the dances cost them only fifty cents a year so they must be somewhat infrequent. On Sundays they take walks.

The health of this family seems to be uniformly good except for the eyes of the youngest girl. As far as can be judged this family seems to be one which could be classed as just about making its own way economically. They went into debt last year about \$10 because they were buying furniture on the installment plan. They saved nothing and so they can be considered just about on the minimum of subsistence.

The lists of clothing owned by various members follow:

For the father — Two hats; 1 overcoat; 2 pair trousers; 1 work shirt; 1 dress shirt; 10 collars; 1 pair gloves; 10 ties; 6 handker-

chiefs; 2 suits summer underwear; 2 suits winter underwear; 2 pair stockings; 1 pair shoes.

For the mother — Two hats; 2 coats; 1 wash dress; 5 waists; 2 petticoats; 2 pair stockings; 1 pair corsets; 3 skirts; 3 suits summer underwear; 2 suits winter underwear; 2 night dresses; 6 handkerchiefs; 2 pair gloves; 3 pair shoes; 1 suit.

For the boy of five months — One hat; 1 coat; 5 wash dresses; 9 petticoats; 3 pair shoes; 2 suits summer underwear; 4 suits winter underwear; 3 night dresses; 3 pair stockings.

For the girl of six — Two hats; 2 coats; 5 wash dresses; 4 suits summer underwear; 2 suits winter underwear; 2 night dresses; 1 pair gloves; 4 pair stockings; 2 pair shoes; 1 pair rubbers.

For the girl of four — Two hats; 2 coats; 5 wash dresses; 4 suits summer underwear; 2 suits winter underwear; 2 night dresses; 1 pair gloves; 4 pair stockings; 2 pair shoes; 1 pair rubbers.

FAMILY NUMBER TWENTY-FIVE

This household is made up of a truck driver who earns \$15 a week, his wife and four children, the oldest nine and the youngest a baby of nine days at the time the investigator first called. The family lives in a four-room apartment which is scantily furnished although clean and light.

The menu, it will be seen on inspection, is extremely monotonous, the breakfast being practically the same every day in the week, and the suppers showing little change from day to day. Whether a diet of this sort is sufficient cannot be told unless the quantities consumed are known more accurately than the investigation could reveal.

Sunday

Breakfast — Coffee, cake, eggs.

Lunch — Corned beef and cabbage, potatoes, tea, milk.

Supper — Cold beef, milk, tea, cake, bread and butter.

Monday

Breakfast — Cocoa, buns.

Lunch — Mashed potatoes, bread, butter, prunes, milk.

Supper — Chops for man, potatoes, bread, butter, tea, milk.

Tuesday

Breakfast — Coffee, rolls, butter.

Lunch — Stew, bread.

Supper — Meat for two, bread, butter, tea, milk.

Wednesday

Breakfast — Same.

Lunch — Soup, bread.

Supper — Meat, bread, butter, tea, milk.

Thursday

Breakfast — Same.

Lunch — Tripe, tea, bread, butter.

Supper — Meat, bread, butter, tea, milk.

Friday

Breakfast — Same.

Lunch — Fish, potatoes.

Supper — Same.

Saturday

Breakfast — Same.

Lunch — Liver and bacon, potatoes.

Supper — Same.

The father of this family belongs to a labor union which costs him fifty cents a month. Every member of the family carries industrial insurance.

There are no amusements or forms of recreation which could be thought of by the family except that on Saturday and Sunday they all visit the mother's parents.

The lists of clothing were so fragmentary in this family that they were omitted altogether from this report. It is with great confidence that this family is classed as below the minimum living wage for they are largely dependent on the woman's mother for help when in tight places, which they seem to reach rather often. They say that their money is always gone before the end of the week.

FAMILY NUMBER THIRTY-THREE

This family is German-American, both father and mother having been born in America of German parents. The father aged thirty-eight earns \$18 a week the year around. The two children

aged fourteen and ten respectively are in school. The family occupies a four-room apartment which is in good condition and rather unusually light. They pay only \$14 a month for this apartment which is one of the two low priced apartments found having a toilet within it. The furniture is ample and well chosen.

The diet, as will be seen, is pretty well varied and contains articles of such character as would furnish the necessary ingredients of a balanced ration.

Sunday

Breakfast — Eggs, cereal, milk, postum.

Lunch — Pot-roast, potatoes, peas, pudding.

Supper — Cake, cocoa, bread, milk.

Monday

Breakfast — Bacon, eggs for two, cereal.

Lunch — Vegetables, apple sauce, milk.

Supper — Roast from Sunday, potatoes, lettuce.

Tuesday

Breakfast — Eggs, cereal, bread, butter, postum, milk.

Lunch — Rice and tomatoes, milk.

Supper — None given.

Wednesday

Breakfast — Same.

Lunch — Stew, milk, tea.

Supper — Stew, corn, bread, butter, milk.

Thursday

Breakfast — Same.

Lunch — Noodles, milk, apricots.

Supper — Steak, potatoes, tomatoes, bread, butter, milk.

Friday

Breakfast — Same.

Lunch — Rice, prunes, milk.

Supper — Noodles, vegetables, bread, butter, milk.

Saturday

Breakfast — Same.

Lunch — Soup, bread, butter, milk.

Supper — Soup, bread, butter, milk.

The whole family is insured with industrial policies. For amusement they take frequent car rides which cost them about \$4 a month and they occasionally go to the moving pictures. The husband goes fishing on Sunday while the rest of the family spend the day, or a part of the day, in the Park.

Their health seems to be good as they needed to spend last year only one dollar in all for medicine and physician's attendance.

This family can be classed as one which is in all essential respects realizing what a family should for the minimum of decency.

The clothing list is omitted in this case because it was not sufficiently reported.

SUMMARY OF THE STUDY OF NEW YORK FAMILIES

In order that the statement made in the text to the effect that a study of the families by the agents of the Commission confirmed the estimate of the minimum weekly cost of living at approximately \$17, it may be well to offer a description of each family visited.

Family No. 1 consisted of nine persons, and had an income of \$15 a week. The race was German-Jewish. It was partially dependent upon charity and so could not be said to be enjoying a living income.

Family No. 2, consisting of four persons, enjoyed an income of about \$15 a week. The parents were Scotch and Irish. As the family was in debt for two months' rent and raggedly clothed, it cannot be considered as having a living income.

Family No. 3, consisting of eight persons, had an income of \$18.75 a week, when all its working members were employed. They were Russian-Jews. It is doubtful whether this family can be considered as enjoying a minimum living income or not for they were in debt to the grocer about \$5 and were not, as was shown in the earlier description, well clothed or particularly well housed.

Family No. 4 consisted of five persons, and had an income of \$16 per week. They were Austrian-Jews, and cannot be considered as on a living income, because they had to pawn their

jewelry during a period of unemployment and were, moreover, in debt to both the grocer and butcher.

Family No. 5 consisted of seven persons, and the income for year was approximately \$850. These people were Austrian-Jews. They can hardly be said to be making good economically for they were in debt at least \$85 and seem to have been borrowing more at the time when the investigator visited them.

Family No. 6 consisted of six persons, and had an income of \$18 a week. They were Irish-Americans. Although they had not fallen into debt it was very evident from a study of this family that they were just on the verge of dependence, and that any misfortune would have thrown them quickly over the line. Possibly the only reason that they could make both ends meet was that, in addition to the regular earnings of the family there were contributions from three girl lodgers that raised the \$18 wages enough to let this household pay its way.

Family No. 7 consisted of ten people, and had an income of about \$50 a week. The nationality was Irish. They were in debt about \$23 on account of a period of unemployment of one of the working members. Although this family enjoyed such a large income it is doubtful if it can be classed as clearly above the danger line.

Family No. 8 which was described in detail above consisted of five persons with a weekly income of \$20. They were Russian-Jews. It is probable that they can be considered as adequately supplied with the necessities of life. It should be noted, however, that they were unable to save anything.

Family No. 9 consisted of four people, and enjoyed an income of \$18 a week. The family had fallen into debt by installment buying of furniture, and it might be questioned whether or not the income was sufficient to maintain it in ordinary circumstances. Their tenement was too dark for health.

Family No. 10 consisted of four people with an income of a little over \$18 a week, and there is no doubt that this English-Irish household was thoroughly able to realize the necessities of life.

Family No. 11 consisted of six people having an income of \$15 a week. They were Irish-Americans. It must be concluded that they were not sufficiently well provided for to be classed as a family having the proper amount for living. They are described in detail above.

Family No. 12 consisted of seven people at an income of \$12 a week. They were Italians. The furnishing of their home was pitiful, and their menu showed a monotony that indicated that they nowhere nearly realized a living income.

Family No. 13 also consisted of twelve people, and had an income of \$12 a week. This family also was Italian. They were but scantily clothed and cannot be considered as enjoying a decent living.

Family No. 14 consisted of nine persons with an irregular weekly income of \$30 or less. It too was Italian. They had run into debt \$100 in the past year, and cannot be considered as above the standard of decency.

Family No. 15 consisted of seven people, and had an income of \$23 a week. This family was Italian. From all the indications on the report, it seemed to be enjoying a decent living.

Family No. 16 consisted of seven persons on an income of somewhat less than \$18 a week. These Italians can hardly be considered self-supporting, as they were largely dependent on gifts from friends and relatives, which would have amounted in all to \$200 in the last year if the goods were estimated at their market value.

Family No. 17 consisted of four persons, and had an income of \$18 a week. They were Americans and can be considered as enjoying a living income, for their only debt was contracted in the purchase of a piano.

Family No. 18 consisted of six persons, and had an income of \$15 a week. They were Americans of Irish descent, a shiftless group who ran into debt about \$20 during the year. While it cannot be said that they were above the minimum income, their failings make them unfit for consideration in this estimate.

Family No. 19 consisted of five Americans. They enjoyed a regular income of \$16.50 the year round and occupied a well-furnished apartment. In every way they seem to come up to the minimum standards for decency in living, but are not a bit above these standards.

Family No. 20 consisted of five people with an income of \$17 a week. They were Irish. All indications point to their realizing a decent livelihood.

Family No. 21 consisted of seven persons. The family enjoyed an income of \$25 a week for forty weeks during the year or approximately \$1,000. They were frugal and had managed to save a little, and so can be considered as well above the minimum cost of living.

Family No. 22 consisted of six persons, with an income of \$17 a week. They were Americans. They were making both ends meet but cannot be considered as obtaining a decent livelihood because their rooms were so dark as to be far below minimum requirements for health.

Family No. 23 consisted of seven Americans, on an income of \$25 a week, and to all appearances was amply provided for by this sum.

Family No. 24 consisted of seven people, with an income of \$17 a week. They were of Irish origin, and they seem to be about at the minimum of subsistence. Perhaps they can be classed as barely enjoying this minimum.

Family No. 25 consisted of six persons, with an income of \$15 a week. They were Irish-Americans. They were not self-supporting, as help was extended to them by the mother of the housewife.

Family No. 26 consisted of six persons, with wages of \$15 a week. They were Irish-Americans. The children were all under six years of age. They had gone into debt during the year for a piano player and supplemented the earned income with approximately \$16 a week from boarders. It is probably

the fact that these boarders were present that prevented them from falling below the minimum standard of living.

Family No. 27 also consisted of six persons, with an income of \$18 a week. They were Americans. They cannot be considered self-supporting because a considerable amount of clothing was presented to them.

Family No. 28 consisted of seven persons, with an income of \$20 a week. This family was Irish. It was undoubtedly making its own way.

Family No. 29 consisted of five persons. The income was \$11 a week. This family was Irish. It had fallen into debt to the butcher and grocer, and clothing was presented to its members; so it cannot be considered self-supporting.

Family No. 30 consisted of five people with an income of \$20 a week. It was an Irish family. The household was receiving aid from the Charities Organization Society because the father had been thrown out of employment after he was injured at his work.

Family No. 31 consisted of five persons and had an income of \$13.75 a week. This family was in debt to the grocer and the butcher. They had borrowed money from friends and clothes were frequently presented to them. Their menu looks like a starvation diet. They seem absolutely unable to catch up with their debts.

Family No. 32 had an income of a bit over \$25 a week. They were Americans of Irish descent, and no fault can be found with their way of living.

Family No. 33 consisted of four persons with a income of \$18 a week. They were German-Americans and seem to be realizing the minimum necessities of living.

Family No. 34 consisted of six persons. The income varied between \$13 and \$20 a week depending upon whether the father

was employed full time or not. Their menu was frugal but decent and they seem to be well provided for.

It can be seen from this brief sketch of the various families studied in New York that, in almost every case where the income for a family of five was less than \$17 a week, the household was clearly below a normal standard of living; in most cases where the income was above that amount, the family was realizing decency. Where there were more than five members, the standard was of course lowered by the smaller per capita income. It seems then that the conclusion in the text is borne out by this rather intensive study of the family budgets.

FAMILIES IN BUFFALO

The families visited in Buffalo were divided among nationalities as follows: Four were American, seven German, three Italian, two Russian, and one Polish. Whether it is due to their nationality or not, it was a remarkable fact that only five of these families carried any insurance, only two used the libraries, and only three reported taking newspapers. Four of the men belonged to labor unions. On the amusement side the reports for these households were very meagre. Only five reported the enjoyment of any recreation. Two of the families took car rides, went to the moving pictures, and entertained company occasionally; one visited and received friends; one enjoyed car rides and the entertaining of company but did not report attendance on the moving picture shows; and the fifth reported occasional visits to friends. The man in this last family spends his Saturday evenings gambling. Such is the meagre list of enjoyments open to these eighteen households. The reports of the agent who visited some of these families follow the brief summary statements. The agent has written very intimate accounts and they are well worth careful perusal. For the immediate purpose of this appendix, however, it will be necessary to consider the status of each of these families with reference to the living income.

Family No. 1 consisted of five persons with an income of \$28.75 a week. The nationality was German. This family

seems to have been thoroughly progressive, and well above the minimum of subsistence.

Family No. 2 consisted of seven persons having an income of \$23.80. This family, too, was German, and seems to have been well above the minimum of subsistence.

Family No. 3, an Italian household of seven members, had an income of \$11.40 a week from the labor of the husband in a freight house; but this income was increased \$6 a month by the payments of two men lodgers. The family owned its home. It was dirty, and the mother evidently did not know how to keep house. The clothing, especially of the children, was also dirty although not particularly ragged. As far as indications were decisive, this family can hardly be considered as enjoying the proper requirements of a decent livelihood.

Family No. 4 consisted of six persons. The nationality was Italian, and the income \$7 a week from the father's work as a day laborer although he earns more when employed full time. This family is gradually paying the debt of \$400 on the home which they own. The mother is an industrious housekeeper, and the place is very clean. The expenditures for food are so small that it must be doubted whether this family enjoys a sufficient diet for the maintenance of health.

Family No. 5 is German. The husband, a car inspector, earns \$1 a week and the eldest son, a machinist's helper, earns \$10.50 a week. A second son earns \$9 a week. Two children are in school. This family owns its dwelling a five-room house, and is living on a thoroughly satisfactory plan.

Family No. 6 consists of six Italians. The \$9 a week which is earned by the father is eked out by \$9 a month, the payments of three men lodgers. This family occupied six rooms. The slack season compelled the man to go into debt \$40 during the year. He borrowed the money from a friend. The home seems to be in good repair and the mother is a competent housekeeper. It cannot be said, however, that this family is realizing the necessities of a decent living, for the clothing supply is very scanty

and it can be doubted whether the food is of sufficient quantity and variety for proper nourishment.

Family No. 7 consists of five members. They are Poles and have an income of \$15 a week. The eldest child is six years old. This family dwells in a rented frame house for which they pay \$7 a month. The house is sanitary and in good repair, and has a nice little garden in front. This family on such a small income has been able to save a very little, and probably must be classed as adequately provided for.

Family No. 8 consists of four people, American of German descent. The father now earns \$12 a week, and he owns his home. The two children are young, the oldest being a boy of five. The family exhibits a high grade of intelligence and seems to be making both ends meet. It can be doubted, however, whether \$12 would be enough to support them as the father is now working only three or four days a week. In the winter time he makes about \$17 a week.

Family No. 9 was also American of German descent. The two children were aged three years and fourteen months respectively. This family enjoyed an income of \$25 a week and was paying \$400 during the year, on their house. They have, therefore, in every way realized the necessities of life.

Family No. 10 is a Russian household, consisting of a young couple and their two children aged six and one. The man has made \$832 in the past year, or an average of approximately \$16 a week. The family seems to be well above the minimum of subsistence.

Family No. 11 consists of six persons, the parents being Germans and the oldest child a machinist making \$12 a week. The income of this family for the past year, however, was cut down by unemployment to \$622. This family seems to be on the verge of dependency. The mother is not well and is a poor housekeeper. The house is in fair condition. The supply of clothing is not thoroughly adequate to the needs of a family.

It can not be said that this family is above or below the minimum standard.

Family No. 12 consists of six persons, the eldest child being thirteen years of age. The income is \$15 a week earned by the father in an automobile factory. The parents were both born in Germany. It can hardly be said that this family is quite above the minimum of subsistence, for they barely managed to pay the interest on the mortgage last year and fell into debt \$50 for the medical attendance on the oldest boy who had inflammatory rheumatism.

Family No. 13 consists of five persons, on an income of \$18 a week. This family would be living in comfort were it not for the fact that the husband gambles. He is now in debt \$200 from his play.

Family No. 14 consists of a young American couple with two children, the eldest two years old. The father earns \$20 a week as a moving picture operator. He is paying for the furniture which they have bought on the installment plan. The house is in good condition and the family seems to be satisfactorily provided for.

Family No. 15 consists of a father, who drives an automobile for \$15 a week, his wife and two children aged nine and eight. The expenses of this family cannot be considered as significant, as the father squanders so much money that the mother is unable to show what she could do if she were given a chance to manage the house on \$15 a week. As it is the youngster goes barefoot and the house is in a neglected state.

Family No. 16 is made up of five Americans, the oldest child being sixteen. The total weekly income is \$19. The family is in debt owing to the illness of the father two years ago. Otherwise it can be said to be in a prosperous condition, the house being well kept and sanitary and the clothing supply ample.

Family No. 17 was one for which too little information was available to make tabulation worth while.

Family No. 18 is made up of six Russians. The weekly income when all are working is about \$21. This family is in a good house and seems to be in satisfactory circumstances.

This study of the Buffalo families seems to confirm in a general way the conclusion that between \$14 and \$15 is necessary in order to maintain a normal family of five in that city. Although the investigator had considerable difficulty in locating the families of the types desired, what information was procured seemed all to point to this conclusion; although there were, as has been noted above, one or two exceptions.

DESCRIPTION OF THE MODE OF LIVING OF AN ITALIAN FAMILY IN BUFFALO *

In an outlying district of Buffalo, extending to the city line, is a section formerly inhabited almost entirely by Germans, but into which many Italian families have been moving in the last three or four years, until at present the population is pretty evenly divided between these two nationalities. The more recent arrivals are mostly Italians of the better class, the poorer class of Italians generally living down by the water front. Some of these families own their own homes, and others are merely renting, with the proverbial Italian lodger to help pay the rent.

Of the latter class is the family of A. C. The father has been in this country only four years, having come over a year ahead of the mother and children and saved up enough money in that time for their passage. All but the youngest child were born in Italy. The father works in the car shops across the tracks, so has no carfare, but his wage is only \$1.60 a day. Moreover, of late the work has been slack, until quite recently it has been cut down to four days a week, and the family have had to resort to borrowing from some of their friends. The meagre wages, however, are helped out by the aid of lodgers, three men, each paying \$3 a month. The men buy their own food and bring it to the house, often sharing with the family, if there happens to be a surplus.

So the food cost for this family of six, father, mother, and four children, averages only \$6 a week, even in this day of high

* These descriptions of Buffalo families were prepared by Miss Stella E. Packard.

prices. The weekly menu made out by the family themselves, consists of tea or coffee and cakes, with milk for the children, for breakfast; meat five times a week and eggs the other two days, for dinner, with potatoes, macaroni, beans, lettuce, cabbage, and bread and butter and jelly, making up a pretty well balanced diet.

Their rent is \$10 a month, and for this they have a five room house, with the attic transformed into a bed-room for the three lodgers. There are two bed-rooms downstairs, a "front" room, stiff and awkward with its four straight-backed chairs lined up in a row against the wall; a living room, and a kitchen, also used as a dining room. The house is in good repair, and every room has one or two windows. The only question in regard to proper ventilation would be in the attic, where the three men sleep, with only one window which is in the front. The two oldest girls, one ten and one twelve, share one bed-room downstairs, and the father and mother and baby, eighteen months old, the other. The little boy of six has a bed in the living room.

The one coal stove is used for cooking, summer and winter alike; and is the only means of heating the house in the winter. A kerosene lamp is used for lighting. There is a toilet, with sewer connections, in a shed built onto the rear of the house; but no bath tub. The family's expenditure for clothing during the past year has been approximately \$114. The saving on millinery, which is considered a necessary item in an American family's clothing budget, is most marked, as the mother still wears the shawl which she brought from the old country. The little girls have no hats for summer, and wear tam o' shanters or stocking caps in the winter.

The family's annual budget, for rent, food, and clothing alone, approaches very nearly their total annual income. If we accept the principle tentatively established by Amos G. Warner in "American Charities" from a review of the results of several standard of living investigations made in this country, that if the expenditure for the bare necessities of life, as food, housing, clothing, fuel and light, exceed eighty per cent. of the total income, the family is on the verge of dependence, this Italian family would surely be considered in that condition.

DESCRIPTION OF THE MANNER OF LIVING OF A GERMAN FAMILY IN BUFFALO

In a homelike little frame cottage, out toward the Black Rock district in Buffalo, lives the German family of A. D. The father works in one of the automobile factories in Buffalo, at a weekly wage of \$15. There are four children, two boys of thirteen and eleven, and two girls of nine and four. The three oldest all attend public school in the winter. The father and mother were both born in Germany, but have lived most of their lives in this country, and the children were all born here.

They have no boarders or lodgers; the mother says they have hardly enough room for themselves in the house, without any lodgers. It is a four room cottage, with an attic and a shed built on at the rear, where the ice-box and the coal and wood are kept. There is a coal stove in the kitchen, which is the only means of heating the house in the winter, and is used for cooking at all seasons of the year. Gas has recently been installed in the house, and that is now used for lighting. There is no bath tub, but the toilet is just off from the kitchen and is in good condition, as is the whole house.

The people are industrious Germans, and evidently take pride in the appearance of their home. The whole place radiates an air of wholesome cleanliness which is most refreshing. There is a doll house on the rear of the lot which the father has built for the two little girls, and there they play with their small friends of the neighborhood, all through the long summer afternoons. The lot, of thirty-three by one hundred twenty feet, gives them plenty of space to play, without having to resort to the use of the street.

The place is being bought from the man's father, who formerly lived there; and has been paid for all but \$400. This is now held in the shape of a mortgage, drawing a six per cent. interest. The city taxes amount to \$26 a year, the county taxes to \$5, and the water bill for the year is \$5. Altogether, with the interest, this amounts to only \$60 a year. The mother has a sewing machine and makes many of the little girls' dresses as well as some of her own.

Their food budget, as made out by the mother, amounts to \$7.60 a week. This includes \$1.45 for meat, \$5 for groceries, and \$1.25 for fresh vegetables, bought from the huckster. Ice costs thirty cents a week during the summer. The father takes his lunch with him from home, and has no expense for carfare, as he walks to and from his work each day.

Unfortunately there has been a good deal of sickness in this family. Three of the children have had to have operations for adenoids, and the oldest boy had inflammatory rheumatism last winter. The mother says they have never patronized free clinics, as they do not think people receive as good attention there as by going to "paid doctors." So their expenditure for doctors and medicines has been quite large, although they have not kept track of the exact amount. The mother is not well at all, and she has a doctor bill outstanding for herself for \$50. She finds her housework quite a task at times, doing all the cooking, washing and ironing and much of the sewing for a family of six, besides cleaning the house. But she is of a cheerful spirit, and on the whole the family seem contented and happy.

DESCRIPTION OF THE MODE OF LIVING OF A POLISH FAMILY IN BUFFALO

Buffalo is said to be the second largest Polish city in this country, Chicago ranking first in that respect. There are at present said to be close to 100,000 Poles in Buffalo. The Federal Census report for 1910 does not classify them as Poles, but rather according to their country of birth, so they are divided up in this report among the Germans, Austrians, or Russians. But when the Polish survey of Buffalo was made in 1910 by Mr. Daniells he estimated the number of Poles at 80,000, and since that time the number is said to have increased by about one-fourth.

There is one large section of the city out on East Broadway, which is almost exclusively Polish. Here they have a community life of their own, with Polish churches, markets, and schools, and many of them live their lives through without learning to speak the language of their adopted country. This is not true in the case of the children, who learn to express themselves after a fashion in English, even if they receive their instruction in

Polish in the parochial schools. But many of the women who come to this country after they are married, and live more or less secluded lives in their own homes, never learn the English language, and often find this a handicap if poverty overtakes the home and they are obliged to look for work to help out the family income.

Living in the centers of this Polish district, just off from East Broadway, is one little family who have but recently left their native land, and settled in this Polish district in Buffalo. They are Russian Poles and the mother as yet neither speaks nor understands one word of English. The three children are too young to have entered school, and keep pretty closely at their mother's side, so any communication with this little family, in the absence of the father, has to be carried on in Polish. Neighbors' children, however, are willing to act as interpreters.

A thrifty family this, with their carefully laid out little garden in the front yard. The frame house is of one story, but shelters two families; the landlady, who is also Polish, living in the rear. The front apartment consists of three rooms, a parlor, bed-room, and kitchen, with the addition of two closets, one opening off from the kitchen, used for dishes, and the other a clothes closet, opening from the bed-room. The father and mother sleep in the bed-room and there is a folding couch in the front room for the children, a little girl of six, and two small boys, of four and two. The kitchen is also used as a dining room. There is a sink with running water, but no ice-box, the landlady allowing them the use of hers. Nor was there any bath-tub in the apartment. The two families in the house have but one toilet, which is in the shed at the rear of the house. There is no gas in the house, and kerosene lamps are used for lighting, each family owning one lamp. It is probably not found necessary to light more than one room at a time at night. The coal stove is used for cooking winter and summer and for heating in the winter. The rent for this apartment is \$7.50 a month.

The father, a husky young Pole of thirty, works for one of the steel companies at \$15 a week. He was able, in the first six months of his residence in this country, to save up enough to pay for transportation for his wife and children, and also to buy the

furniture necessary to start housekeeping, with the exception of the dishes, which the wife brought with her from their Russian home. The family have lived in this house since the arrival of the wife and children a year ago.

Their expenditure for food during the past year has averaged \$7.50 a week. It has been more than that this summer on account of the higher prices. As is customary with Polish families, there is a preponderance of meat in their diet, which probably accounts for the somewhat higher average for food than is found with other families of this income and with only three small children. This family have meat generally twice a day, with a chicken for Sunday dinner, and fish taking the place of the meat on Friday. The man takes his lunch with him to work each day, a lunch consisting usually of meat sandwiches, pickles or fruit, cheese, and a piece of pie or cake, with beer. The luncheon of the mother and children at home is practically the same, with the exception of tea and milk in place of beer.

DESCRIPTION OF THE MANNER OF LIVING OF AN AMERICAN FAMILY IN BUFFALO

Mr. and Mrs. P. are Americans of the second generation, that is, they were both born in this country, but Mrs. P.'s parents were both born in Germany and Mr. P.'s mother was born here and his father in Germany. His parents owned the place where the family now live, and the young people are buying it by degrees. They are now making monthly payments on the house, at the rate of \$18 per month. This is in addition to the taxes, which amount, for both city and county, to about \$46 a year. It is a two story frame house, and the lot is 28 feet wide by 130 feet deep. Mr. P. is thinking of having the house made over next year into a two family house, and renting out the upper floor.

The house is on a quiet shady street in a district of small homes. The yard is large enough to afford ample space for the children's playground. There are only two children in the family, both little girls, one three years and the other fourteen months old. A few years from now they will appreciate the yard more than just at present.

Mr. P. is a plumber, making \$25 a week. With the exception

of one week's vacation (without pay) this summer, he has worked steadily all year. He neither drinks nor smokes and is fond of his home and children. On Saturday nights he goes down town to one of the large markets and purchases many of the household supplies for the week. Mrs. P. says she has hardly been able to go out this last year, on account of the baby, so her husband does the marketing.

The food purchased in these large markets is considerably cheaper than in the small neighborhood stores and meat markets, and is of very good quality. People come to them from all over the city and feel that they save more than their carfare, by the saving in the cost of the food. Saturday afternoons and evenings these markets are crowded with men and women with baskets on their arms or carrying bags of provisions. Saturday evenings fresh fruit and vegetables are sold at greatly reduced prices. And many of the poor people flock down there at that time to take advantage of this reduction. There are several of these large markets in different parts of the city, one out on East Broadway in the Polish district. The Chippewa market down town is most attractive with its displays of fresh fruit and vegetables and flowers; and many of the wealthy families in Buffalo patronize it.

The food budget for the year for this American family amounts to \$379. This includes the man's lunch which he takes with him from home. Mrs. P. is a careful housekeeper and is fond of cooking, and she puts up every year many jars of canned fruit and pickles. They have quite a good deal of company, which probably accounts for the somewhat large expenditure for food. Mrs. P.'s relatives visit them frequently, but they in turn make many gifts of clothing for the children. The baby's clothes this year have cost only a little over \$5, and the little girl's about \$15. The total expenditure for clothing this last year has amounted to approximately \$216.

They have little to spare for amusement says Mrs. P., "what with the regular expenses and the payments we are making on the place." Mr. P. is a union man, but belongs to no clubs or fraternal orders, nor does Mrs. P. They, however, have pew rent to pay besides a monthly contribution to the church. The yearly

total, for dues and contributions, amounts to \$27. All the family but the baby are insured, and there is a small insurance on the house and furniture. Altogether this amounts to a little less than \$50 a year. Mr. P. has a ten cent carfare every day, going to and from work. The expenditure for laundry averages twenty-five cents a week, Mrs. P. doing the rest of the washing herself.

The house is heated merely by coal stoves in the winter, and the cooking is done by a coal stove. Last winter the family used four tons of coal. During the summer three tons are required. In the latter season coal is purchased at \$7 a ton, but in the winter it cost \$7.25 a ton. Mrs. P. says that they are never able to get enough money together to buy all their coal at once in the summer, although there is plenty of room for it in the cellar, so they buy it by the ton as they need it. Kerosene lamps are used for lighting, and the expenditure for the oil has been about \$8 this last year. The toilet is in the shed attached to the house, but there is no bath tub. The whole house is in good repair, and very clean.

FAMILIES IN TROY

In Troy seventeen families were visited by the agent. Their nationality was as follows:—American fourteen, German two, and English one. Eleven of the men were members of labor unions. All the families but one carried insurance, this insurance being with but one exception, industrial insurance. Every single family regularly took the newspapers, and five used the library while two purchased magazines. Fifteen out of the seventeen families reported some form of recreation. In one case this amusement consisted wholly of walking, in another of Sunday picnics, in another of visiting, and in another of attending the movies once a month. A summary of the amusements shows this; that nine of the families patronized the movies; that eight of them enjoyed car rides with more or less frequency; that six entertained company, or visited, or did both with some degree of regularity; that four patronized the theatre, although their expenditures for this purpose were very small; two took walks; two occasionally went to picnics; one took automobile rides; and one enjoyed bathing in the river. This summary of the amusements of the seventeen Troy families shows that on the whole their recreation was circumscribed.

In Troy the cost of living seems to be lower than in New York. It may be worth while to run through the list of the families visited and note the sufficiency of their modes of living.

Family No. 1 consisted of four persons. The father who was handy-man on a railroad earned \$12 a week. The oldest child, sixteen years of age, was looking for work. Two boarders were in their apartments and they paid \$6 a week. This family, which was German in nationality, owned two or three houses but did not receive much of an income from them. The father had been arrested five weeks previous to the visit of the investigator, and it was practically impossible to decide whether this household was above or below the living income.

Family No. 2 consisted of six persons, the eldest child being six years of age. The father, an automobile mechanic, made \$20 a week. The family lived in a five room apartment which was well furnished and seemed to be provided with all necessities.

Family No. 3 also consisted of six persons, the oldest child being eighteen. The weekly income was something over \$20 and the circumstances of the family seem to have been in general passable, the house being roomy and fairly good in its physical condition, and the clothing and diet being apparently adequate.

Family No. 4 consisted of seven persons, the oldest child, a girl of thirteen, being in school. The income during the past year seems to have been about \$700, although it cannot be estimated exactly, as the man was unemployed a considerable portion of the time. This family had a good house that was in fairly sanitary condition except for the toilet which was very bad. The supply of clothing seems to have been adequate. It would seem on the whole that this family could be classed as above as the necessary minimum wage.

Family No. 5 consisted of six persons, the eldest being a boy nineteen years of age and the youngest child ten years of age. The total weekly income would approximate something over \$20, the year's income having been over \$1,000. It would appear that this family is well managed and very economical. In spite of this fact they seem to have been able to save nothing during the

year. Members received some gifts of clothing, yet on the whole it can be said that this family is above the minimum of subsistence.

Family No. 6 consisted of eight persons and had an income of over \$25 a week the year around. Their home was in a flat which was in thoroughly good condition, and their diet seems to have been good as far as the distribution of the ingredients of a balanced ration is concerned. It can be said without much hesitation that this family is on a fair standard of living.

Family No. 7 consisted of six persons, the eldest child being nine years of age. The father makes \$12 a week as an iron worker. The report on this family does not give the data for a judgment as to whether it is above or below the minimum line of subsistence. The apartment seems to be in good shape but the clothing supply seems very inadequate. There is a suspicion, however, that this clothing supply was not fully reported and so the family must be classed as doubtful.

Family No. 8 consisted of seven persons, the eldest child being sixteen years of age. The income was approximately \$15 a week. This family had a passable apartment. They enjoyed almost no amusement and were lacking in necessary articles of clothing.

Family No. 9 consisted of four persons, on an income approximating \$17 a week when all were employed; but the father had been out of work twelve weeks during the year. This family received gifts of clothing, but, in spite of that fact, had fallen into debt \$83 and must be classed as inadequately provided for by this income, or else mismanaged.

Family No. 10 was made up of a father who was a cigar maker on \$12 a week, his wife, and four children, the eldest being a girl of seven. This family was not able to make expenses during the past year, having fallen into debt between \$75 and \$100. The apartment which it occupied was good but the food seemed to be utterly inadequate to a proper diet.

Family No. 11 consisted of six persons, the oldest child being ten years of age. The income of \$15 a week was insufficient to

support them as they had to receive gifts of clothing from relatives and had fallen into debt approximately \$200 during the year.

Family No. 12 also consisted of six persons. The income was something less than \$15 a week as the father had been unemployed several weeks. During the year his total earnings approximated \$600. He was a German. The family seems to have been well managed and well housed, but it had fallen into debt about \$25 for doctor bills. The meals were hardly adequate, one dinner consisting, for instance, of tomatoes and tea, and another of sandwiches and tea. It is difficult to believe that this family was enjoying all the necessities of life.

Family No. 13 consisted of seven persons, the oldest child being a boy of thirteen. This household was well accommodated in a six-room apartment which seems to have been in thoroughly good condition. During the past year the family went into debt for their doctor's bill. The lists of clothing which were furnished by the housewife seem utterly inadequate. As the father was unemployed part of the year the income really amounted to only \$560 or a bit over \$10 a week. It can certainly be said that this family was not adequately provided for.

Family No. 14 consisted of four people, the two children being ten and seven years of age respectively. The income averaged \$17.50 for the year under consideration. A survey of the living conditions of this family seems to show adequacy in the satisfaction of their ordinary wants as far as the expenditures could indicate.

Family No. 15 consisted of six people, the eldest child being a boy of nine. This family had an income of approximately \$14 a week. The house was scantily furnished. Their menu was at times pretty slim, two suppers during the week consisting of bread and tea, and one simply of macaroni. The family was given clothes and can be considered as below the minimum standard.

Family No. 16 was composed of a father, mother and six children. The income of this family was \$20 a week. They occupied a four room apartment which was in fairly good condition. It

cost them only \$7 a month. Because they were so crowded, and because their furniture was so scanty, there being only four chairs in the dining-room-kitchen, this household must be considered as being below the necessary minimum standard.

Family No. 17 consisted of five people, the oldest child being a girl of nine. The father enjoys an income of \$12 a week steadily the year around. He raises his own vegetables, and some vegetables are given him by his mother. This family has a three room apartment which seems to be adequately furnished. Their food also seems to be well chosen and sufficient. The apartment is in fair condition and the clothes are kept at least decently. It is difficult to say just whether this family is or is not obtaining a decent living.

The results for this study of the family in Troy seem to be a little more indefinite than those in the other two cities but they would bear out, on the whole, a statement that the cost of living in Troy is not less than in Buffalo and certainly not as great as in New York.

THE FAMILY SCHEDULE

[1829]

| I | | FLOOR | | DATES | | No. | |
|--|-----|----------------|--|-------------------------|-----------------------------|-------------------------|--|
| ADDRESS | | | | | | | |
| NAME OF HEAD | | OF HIS PARENTS | | YEARS IN U. S. | | | |
| BIRTH PLACE OF FATHER | | OF HER PARENTS | | YEARS IN U. S. | | | |
| BIRTHPLACE OF MOTHER | | | | | | | |
| WHICH CHILDREN, IF ANY, FOREIGN BORN | | | | | | | |
| PERSON | AGE | SEX | OCCUPATION (IF IN SCHOOL WRITE "SCHOOL") | WEEKLY EARNINGS | WEEKS EMPLOYED IN LAST YEAR | LEAVE THIS COLUMN BLANK | |
| FATHER | | | | | | | |
| MOTHER | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| OTHER SOURCES OF INCOME | | | | | | | |
| BOARDERS | | | | How Much? | | | |
| LODGERS | | | | How Much? | | | |
| PROPERTY | | | | How Much? | | | |
| GIFTS | | | | How Much? | | | |
| How Much Does Family Save Every Month? | | | | How Much? | | | |
| Have You Gone Into Debt This Year? | | | | How Much? | | | |
| Why? | | | | Where Are Savings Kept? | | | |

II

PUT DIAGRAM OF APARTMENT ON BACK OF THIS CARD, SHOWING WINDOWS ON AIR SHAFTS [—], WINDOWS ON STREET OR LARGE COURT [—], DOORS [—]. GIVE NAMES OF ROOMS AND DIMENSIONS. SHOW TOILET, WASHTUBS AND RUNNING WATER.

WHAT FURNITURE IS IN EACH ROOM:

| | | |
|----|--|-----------|
| 1. | | No. _____ |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

WHAT FURNITURE HAS BEEN BOUGHT WITHIN A YEAR, AND WHAT DID IT COST? THIS INCLUDES KITCHEN UTENSILS, SUCH AS BROOMS, PAILA, DISHES.

III

WEEK'S MENU

| | BREAKFAST | LUNCH | SUPPER | No. _____ |
|-----------|-----------|-------|--------|-----------|
| SUNDAY | | | | |
| MONDAY | | | | |
| TUESDAY | | | | |
| WEDNESDAY | | | | |
| THURSDAY | | | | |
| FRIDAY | | | | |
| SATURDAY | | | | |

WHERE DO YOU BUY YOUR FOOD?

HOW MANY WEEKS DO YOU USE ICE?

WHICH MEMBERS OF FAMILY BUY MEALS AWAY FROM HOME?

WHAT DO THESE MEALS COST PER WEEK?

HOW DO YOU KEEP YOUR FOOD?

WHAT DOES IT COST?

IS DIET VARIED WITH SEASON?

IV

WHAT DO MEMBERS OF FAMILY SPEND ON
LABOR UNIONS (WHO)

No. _____

CLUBS (WHO)

CHURCH (WHO)

FRATERNAL ORDERS (WHO)

WHO CARRY INSURANCE, AND WHAT DOES IT COST?
WHAT TYPE POLICY?

WHAT IS THE WEEKLY EXPENDITURE FOR CARFARE?
WHAT AMUSEMENTS DO YOU HAVE?

CAR RIDES (COST PER MONTH)
THEATER (COST)

MOTION PICTURES (COST)

DANCES (COST)

COMPANY

VISITING

HOW IS SATURDAY NIGHT SPENT?

HOW IS SUNDAY SPENT?

DO YOU OWN ANY BOOKS EXCEPT SCHOOL BOOKS?
DO YOU USE A LIBRARY?

WHAT DO YOU SPEND FOR BOOKS?
MAGAZINES?

HAVE YOU A LIBRARY CARD?
PAPERS? //

PAPERS? //

V

HEALTH OF FAMILY

No. _____

EXPENDITURES FOR

DOCTOR (PERSONS)

MEDICINE (PERSON)

DENTIST (PERSONS)

EYES (PERSONS)

HAVE YOU HAD ANY FREE MEDICINE, OR FREE MEDICAL OR DENTAL ATTENTION? WHAT?

MENTALITY OF FAMILY

MORALS OF FAMILY

DEATHS DURING YEAR?

INSURANCE

COST OF LAST FUNERALS IN FAMILY?

HOUSING OF WAGE EARNERS' FAMILIES IN BUFFALO

Buffalo may truly be called a city of homes. The great majority of the people, rich as well as poor, live in detached houses, — of varying size, to be sure, but still houses, as distinct from apartment buildings or tenements. From the stately brick mansions on Delaware avenue, to the unpainted dwellings in the poorer sections, a visitor is impressed with the number of separate houses to be seen on every street.

The housing problem in Buffalo is mainly one of overcrowding within these detached houses. There are a few tenements, but these are conspicuous by their very scarcity. One on South Main Street, in the Italian district, houses some sixty or seventy families. One in the Polish district, twenty-two families. One out in Black Rock has been given the descriptive appellation of "The Bucket of Blood," on account of the crimes that have been committed within its borders. Some old dwellings near the water front are being transformed by incoming Italians into tenements.

The Department of Health, under the efficient direction of Dr. Fronsac as Commissioner, has endeavored to keep a close surveillance over housing conditions in Buffalo. But there has been such a rapid increase of immigration, particularly of Poles and Italians, that the work has proved exceedingly difficult, especially with a limited number of inspectors. A common custom among the Poles, who are very anxious to own their own homes, is to buy a place on the installment plan, and themselves live in the rear of the house, renting out the front part to one or more other families. In this way they are able to meet the payments, and in the end, when the place is clear, they occupy the whole house themselves. So in these houses, occupied by two or more Polish families, the owner is always to be found living in the rear.

One, or one and a half, or two-story houses are the rule. Sometimes two, or even three families, are crowded into the ground floor of one of these houses, and, if it is a two-story house, the same number on the second floor, some of the families occupying only two rooms. But there are scarcely any dark rooms, for in these detached houses light can be obtained from the side

of the house as well as the front and back. And besides this advantage in regard to lighting, there is generally a yard where the children can play. Rents are much lower than in New York City, and vary from \$6 or \$7 a month up to \$18 or \$20. The rent depends, as everywhere, not only on the number of rooms but also on the location of the house.

A wage-earner's family, with an income of from \$15 to \$18 a week, can rent a whole house of one story, with an attic that is sometimes converted into an extra bed-room, for \$10 or \$11 a month in some sections of the city. These houses have running water in the kitchen, and toilets usually in sheds attached to the rear, bath-tubs being rare however. They have five or six rooms, and are quite comfortable and home-like when not overcrowded. Gas is not so commonly used for lighting and cooking in these houses as in the tenements of New York City. The more primitive method of lighting, by kerosene lamps, is often resorted to; and cooking is oftener done over coal stoves. A house that has gas usually commands a somewhat higher rent, although rear houses with gas can be obtained quite near the down town section of the city for \$11 a month.

A large number of families, even of the wage earning class, in Buffalo, own their own homes. One finds most attractive small cottages scattered all over the city, on lots of thirty or thirty-three feet in width by one hundred to one hundred thirty feet deep. In the Polish section of the city especially, the front or the rear of the lot is often utilized as a garden, from which the family larder is augmented from time to time by small supplies of fresh vegetables. The place is secured in the beginning by making a small payment down, and later, as the children grow older and begin to work and the family income is increased, other payments are made, until the family finally own their own home clear of any mortgage, the father having been able to keep up the interest and taxes out of his own earnings while the children were small.

HOMES IN TROY

Unlike many cities of her small size, Troy cannot boast that a very large proportion of her working people own their own homes. Nor can she say that each family lives in a separate house. The

opposite is the case. Although there are no tenements as they exist in New York City, almost the entire class of working people lives in two, three or four family houses. Among the well-to-do, single houses are the rule. There are only two or three apartment houses of the better class in the city.

The houses are of all kinds. Except for a few detached or semi-detached houses on the outskirts of the city, they are built in blocks. The detached houses are naturally the best, as they are lighter and roomier than the others. They are two or three stories high, with one family on each floor.

Perhaps the predominant type is the three story, three family brick or wooden house, with or without a basement floor, and built in blocks. Almost all the houses in the heart of the city are of this type. They are old, but in fair condition. All of the homes of the poor people are old. Except for the very cheap wooden houses, they all seem to have been at one time in much better condition, and to have been handed down, like old clothes, from a more prosperous class. No new homes are being built for the working people. In fact, except in the suburbs, one sees few new houses of any kind.

Rents are low, so that overcrowding does not exist to any great extent. A very comfortable apartment of five or six rooms can be obtained for from \$7 to \$15 a month, according to the locality and the physical condition of the apartment. Some are even cheaper; light, airy apartments of seven rooms, with a toilet, sometimes rent for as little as \$13 a month. They are generally occupied by ordinary sized families of mother and father and three or four children, with an income of \$15 to \$18 a week. Almost every family boasts a "parlor" or "front room" and this is rarely used also as a sleeping room, as is generally the case in New York City. Many of them have toilets, but there are few bath-tubs, although every apartment has running water. As a rule there is no gas in apartments with a rental of less than \$10 a month, and in many cases where there are gas connections, they are not used, except, perhaps for the gas range, the favorite way of lighting being by the cheaper method of oil lamps. Coal is used for heating and cooking in winter, and wood for cooking in summer.

Practically every house has a yard, and except along the alleys,

they are of good size, and are used by the children as play grounds, in place of the streets.

The cheapest houses are the two-story wooden *shacks*, they are nothing more, built along the alleys and narrow streets. These have three or four rooms on a floor and are generally occupied by two families.

A great many of these small houses are being bought up by the Italians, and among these living conditions are worst. The houses are overcrowded, due to the habit of taking boarders, it being no uncommon thing to hear of apartments of three rooms, occupied by ten or eleven adults. They are absolutely without protection from fire, and are so old and poorly built that they look as if a strong puff of wind might destroy a whole block of them. In most cases the second story is reached by means of an outside wooden stairway, often in poor condition. In these houses, and in some of the better ones, there are many dark rooms, rooms with no light or air except from the doorway. The toilets are in the yards, and, although in recent years, many in all parts of the city have been connected with the sewers, there still exist large numbers of the old-fashioned privy vaults. The yards behind these old wooden houses are generally filled with rubbish, old lumber and dilapidated out-buildings. There are few rear houses, their place being taken by the houses fronting on the alleys.

On the whole, however, the people of Troy have comfortable, cheap homes, and except among the Italian and other foreign population, newly arrived in this country, whose low standards of living make them willing to put up with almost anything, housing conditions are not bad.

APPENDIX VIII

MINIMUM WAGE LEGISLATION IN AUSTRALASIA

By Paul S. Collier

[1845]

PREFACE

The principle of the legal minimum for the protection of industrial workers has already been accepted in the United States. Laws providing for the safety and sanitation of work places, for protection from fire hazard, for the prevention of industrial diseases, and for the limitation of the hours of labor, are common to most of our American states. The latest step in this program of legislation to safeguard the welfare of the employee is the extension of the principle of the legal minimum to the regulation of wages. Following the example of Massachusetts in 1912, nine American States have already enacted minimum wage laws applying to women and minors engaged in private industry. In order to meet intelligently the demands for further legislation along these lines, it is necessary to inquire into the previous history and results of such legislation in foreign countries.

It was with such an object in view that this study was begun. The laws so far passed in the United States are of such recent date that no deductions can be made from the experience under them. Although reports indicate that good results have followed the enactment in 1909 of a minimum wage law in Great Britain, the history of this legislation is too brief to allow the formation of any final conclusions in regard to it. Resort must therefore be had to the teaching afforded by the operation of minimum wage laws in Australasia. Although qualified by the lesser magnitude of industrial interests as compared to manufacturing enterprise in the United States, and by special geographical and physical conditions, the experience under these laws has been of sufficient duration to indicate some fairly definite effects bearing upon the social and economic prosperity of the states which enacted them.

It is the aim of this study to present the history of the laws in force in the several states of Australasia, together with the administrative working and the economic and social conditions obtaining under each system prior to the outbreak of the present European war. As the most representative of the several laws, the greatest emphasis has been put upon the systems of New Zealand, Victoria, and New South Wales. Compulsory arbitra-

PREFACE

tion has been studied, not as such, but because wages have been regulated by compulsory methods. Minimum wage legislation does not imply the use of compulsory arbitration, but the fixing of a legal minimum wage has been one of the functions of the latter method.

In making this study, the writer has relied mainly upon government reports and official documents, and makes no pretense of giving the personal impressions of a visitor to those countries. However, by correspondence, the reading of newspapers, and interviews with persons who have an intimate first hand knowledge of this legislation, the writer has endeavored to illuminate the facts secured from other sources.

It would be difficult to mention all those who have contributed in some way to this study. Among others the writer is indebted to the following persons: to Mr. Paul Kennaday, Prof. M. B. Hammond of the Ohio Industrial Commission, Mr. J. B. Holme, Industrial Registrar of New South Wales, Mr. S. Blackwell Crowther, former Acting Director of Labour of Queensland, Mr. J. E. Dodd, Honorary Minister of Western Australia, and Prof. R. F. Irvine of the University of Sydney for specific information relative to several subjects; to Mr. H. M. Murphy, Chief Inspector of Factories of Victoria, for preparing a statistical table and for giving various other data; to those in charge of the library of the New York Bar Association and to Miss Adelaide R. Hasse and Dr. C. C. Williamson of the New York Public Library for their kindness in placing the resources of these institutions at the writer's disposal; to Dr. K. H. Claghorn of the New York School of Philanthropy and Prof. Robert E. Chaddock of Columbia University for advice concerning statistical data; and to Mr. Paul Kennaday and Prof. R. F. Irvine for their suggestions and for reading portions of the manuscript. The index was prepared by Mr. Ralph Gossage of the New York Public Library. But above all, I desire to express my thanks and appreciation to Prof. Samuel McCune Lindsay of Columbia University for his suggestions and constant interest in the preparation of this report. It was he who first suggested the need for such a study, and whose counsel and assistance have been invaluable in carrying it to completion.

New York City, February 15, 1915.

P. S. C.

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CHAPTER I

Victoria

[1849]

I. GENERAL STRUCTURE OF THE VICTORIAN SYSTEM

1. EARLY HISTORY AND THE GENERAL NATURE OF THE WAGES BOARDS LAW

Factory legislation in Victoria, as well as in Australasia, dates from 1873. In that year a short statute was enacted providing that no woman or girl should work for hire in a factory for more than eight hours a day. In 1882 the subject of sweating began to assert itself in the public mind, due in large part to the revelations made by a newspaper known as the "Age." A Royal Commission was thereupon appointed which in 1884 made two reports; one was devoted to the proposed Courts of Conciliation and the other to general recommendations for the prevention of sweating and the improvement of factory conditions. In this report it is shown that sweating was exclusively identified with homework and sub-contract. The system apparently arose from the custom of allowing employees to take work home with them after the factory closed for the day. In time these employees became contractors, hiring apprentices who received no compensation for the first six months and often longer. Contracts were accepted at a lower rate than that prescribed by the log, and where work was abundant sub-contractors took work at a still lower rate. This in brief is the outline of the sweating system as it was generally known. In Victoria it meant working days of often sixteen hours each at a bare subsistence wage. The Commission found that these conditions obtained particularly in the boot and tailoring trades. In the latter it was stated that "the sweating system bids fair to place the entire trade in the hands of females, who of course can work for lower wages than men." However, there is some explanation of the attitude of sweated employees in the Commission's condemnation of the bad moral conditions in factories, due to the indiscriminate mingling of

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all classes of workers. It is further stated that many young girls preferred to work for sweaters owing to the bad moral atmosphere of the factories.¹

Another cause of low wages mentioned by the Commission was the system of apprentices and improvers, which allowed young boys and girls to work for years at a very low rate of pay, meanwhile learning little about the trade, and perhaps suffering ultimate discharge. This practice was condemned and the Commission made several recommendations in the way of remedy, one of them being that only one apprentice should be employed to five adult workers. The limitation of apprentices is fundamentally involved in later legislation.

The final summary of the Commission contains thirty-nine recommendations, prominent among which is that "The sweating system shall be prohibited." We see that at this time the evil of sweating was clearly recognized and its prevention demanded.

The immediate result of this inquiry was disappointing so far as the remedy of conditions was concerned. In 1885 a Factories and Shops Act was enacted which fixed six as the number of employees, including apprentices, required to constitute a legal factory. Nothing was done to prevent the giving out of home work but in the subsequent administration of the Act improvements were effected in the construction, equipment, and spaciousness of factories, thus paving the way for a higher standard of working conditions.

In 1890 another general factory law to regulate working conditions was passed. Three years later the number of employees required to constitute a factory was reduced from six to four. In response to continued agitation against the sweating evil, a Parliamentary Board was appointed in that year to investigate the working of the Act of 1890 in relation to it. The reports of this Board were published at intervals from 1893 to 1895 and give valuable evidence which supplements and strengthens the earlier report of the Parliamentary Commission. These reports aroused public sentiment and led to the formation of an Anti Sweating League in Melbourne, an aggressive organization of citizens which did much to crystalize into definite action the

¹ Victoria, Royal Commission on Employees in Shops, 1884, 9-2.

feeling for the abolition of sweating. This body is still in existence and is useful in watching over the administration of the laws and urging their extension to new fields where needed. The united demand of the Parliamentary Board, factory inspectors, newspapers, and citizens called for an early and radical remedy for existing conditions and resulted in the Factories and Shops Act of 1896. It was amended the same year, and in the years immediately following by the Acts of 1897 and 1898, and by the consolidating and amending Act of 1900.¹

The Origin of the Plan

Before the wages board system was finally adopted, there was much discussion as to the best remedy. England, having done little more than to show the causes of sweating, had nothing to offer. It was first suggested that home workers be required to take out a license to carry on the work in their homes. The Chief Factory Inspector and the Anti-Sweating League were ardent advocates of this plan but it was bitterly opposed by the individualist argument of the "sanctity of the home."² Finally a plan was devised by Mr. Alexander Peacock, then serving his first term as a member of the cabinet. The incident suggesting the idea was the method by which a disagreement between master and men over a proposed reduction of wages in a gold mine near Ballarat had been overcome. The differences were argued out at an informal conference of the employer with his men, of which Mr. Peacock was secretary. This procedure in settling the difficulty made a lasting impression on his mind and he then hit upon a similar plan for fixing wages in the sweated trades. Prof. M. B. Hammond of the Ohio State University has furnished us with Mr. Peacock's own statement of his plan, which will be worth quoting. He says:²

"In 1895, when I was Chief Secretary, I visited the homes of the Outworkers engaged in the manufacture of clothing. I found that these people were working excessive hours at grossly sweated rates of pay, in poor and cheerless

¹ For the history leading up to the act, see an article by Prof. M. B. Hammond, *Wages Boards in Australia*, *The Quarterly Journal of Economics*, Nov. 1914, p. 98ff.

² *Annals of the American Academy of Political and Social Science*, 48:28.

homes, and generally under wretched conditions. It was felt that some drastic remedy of this state of things was necessary. With some misgivings, the Government of the day, of which Sir George Turner was the Head, decided on my recommendation to attempt to deal with this evil by means of what are now known as Special Boards. The idea was to bring together an equal number of employers and employees, not exceeding ten on each Board; to provide these ten representatives with a Chairman, and to give the Boards so constituted, power to fix the rates to be paid, whether wages or piece work as the Board thought fit, for any work done in connection with the trades subject to special Boards' jurisdiction.

"These proposals were received with violent hostility in one quarter, viz., by those who resisted what is known as any interference with the liberty of the subject, and also by those who made a fetish of the law of supply and demand. Even those whom the proposals were intended to benefit — while glad to receive any measure of protection — had grave doubts about the issue, as it was alleged, first, that all work would be driven out of the country, secondly, that only the best workers would be employed, and thirdly, that it would be impossible to enforce such provisions at all.

"It is now somewhat amusing, although it was serious enough for the Government of the day, to read the debates on the Factories and Shops Act, 1896. However the Government managed to carry the bill, and the Wage Board system was inaugurated."

In advocating this scheme of wages boards, Mr. Peacock planned to fix minimum wages only for women and young persons. However, it was amended in Parliament by men who feared its enforcement would be difficult and perhaps impossible in piece work trades, if applicable only to women. In spite of a vigorous protest by the author, the principle of the minimum wage was applied to both men's and women's work. This is significant in its bearing on the proposals of many advocates of the plan in this country. The Act of 1896 contains no definition of what a minimum wage

shall be beyond the statutory enactment that no person shall be employed in any factory or work room receiving less than 2s. 6d. per week. This was only to prevent children from being employed as learners without compensation in the clothing trade and does not refer to the general working of the act.¹ It is stated that in fixing the lowest prices or rates of wages the special board shall consider the nature, kind, and class of work, the manner in which it is to be done, the age and sex of the workers, and any matter which may from time to time be prescribed. Factories and work-shops were to be registered after being approved by the local municipal council or chief factory inspector, but special boards might be appointed for persons either inside or outside the factories for any trade usually carried on in a factory or workroom. These boards were to consist of not less than four or more than ten members and a chairman. The members were to be elected equally from the employers and employees by these respective classes.² Lists of electors were to be prepared by the Department of Labor from which elections were to be made. The roll of employers was readily procurable from the registration lists, but to secure the names of employees it was necessary to send a form circular to all employers asking for the information. Often visits by officers had to be made to get this data. Then a notice must be put in the newspapers and a week allowed to elapse in order that anyone who had been omitted could have his name added to the roll. A period of something like fourteen days for nominations was then given. If the number of persons nominated did not exceed the number to be elected, the board could be appointed at once. Otherwise ballot papers had to be sent out, and after the election was completed the appointment could be made by the Governor in Council and the board proceed to work. This formality was necessary every two years, this being the period for which a board was then appointed. It can be seen that this method of selection was very cumbersome. Where the trades were organized, candidates supported by the unions were almost invariably nominated and elected. Often only the exact number to be elected were nominated. If the trades were unorganized there were seldom any nominations at all and the members had to be appointed outright

¹ See Schachner, *Die Soziale Frage in Australien und Neuseeland*, p. 144.

² Act of Parliament of Victoria, 1896, No. 1445, Sec. 15.

by the Governor in Council.¹ Because of the loss of time and the expense involved in this system, it was ultimately changed, centering much more power in the Department of Labor. This will be discussed later on in another connection.

The Procedure of a Wages Board

After the board is appointed, it has the privilege of choosing a chairman outside of its own number. If it fails to do so, the Governor in Council may appoint him. He also has the power of appointing the members; if their respective groups do not elect them and can fill all vacancies without election. The selection of the chairman is a matter of considerable importance. His first qualification is that of impartiality, and hence he is usually drawn from the outside. Official nominations are usually from the older civil servants, from stipendiary magistrates, and barristers. In some few instances a chairman has a first hand knowledge of the trade, but as a rule his main function is to guide and direct the deliberations of the board, assisting them to a conclusive agreement. The meetings are generally held in the late afternoon or evening, it being a common practice to hold double sessions terminating about ten o'clock. The procedure of the meeting depends somewhat upon the character of the board and the room in which it is held. The members usually sit about a table, employees on one side and employers on the other. The discussion is quite informal, remarks being addressed to the chairman when the members are trying to convince him on a difficult point. The secretary, who is always a government officer and usually connected with the Labor Department, takes minutes of formal resolutions, motions and votes. Evidence may be taken under oath from called witnesses, but in general it consists of the every day knowledge of the trade which is possessed by all members of the board but the chairman. With this as a basis the points of difference are threshed out. Occasionally the board will adjourn for a short time to allow individual members to discuss mooted points and arrange for concessions. Finally after a complete review of the situation, a vote is taken on a determination which may be carried by a majority. This

¹ Report of the Chief Inspector of Factories and Workshops, 1901, p. 4.

determination, after being gazetted, is the law for that particular trade or business.¹

By the Act of 1896, the powers of the boards in determining wages were comparatively limited, although at present they comprehend different circumstances. In the beginning they could fix minimum wages, either by time rate or piece rate or both. While a piece rate only could be fixed for outside work, the occupier of a factory might demand that the board fix a piece rate for machine operators.² In 1900 the boards were granted more latitude in making their determinations. It was provided that after a board had established a time rate it could give the employer the right to fix a piece rate on the basis of "the earnings of an average worker working under like conditions to those for which the piece work prices or rates are fixed, and who is paid by time at the wages rates fixed by such special board." After this was done, should the chief inspector disapprove of the rates, he could, on the request of the employer, have the matter again referred to the proper board. If the board then fixed a rate higher than the employer was paying, he became liable to his employees for twice the amount of the deficient wages for the time after the inspector had given notice of his disapproval. In case the employer did not request a reference to the special board on the notification of the chief factory inspector's disapproval of his rate, that rate immediately became null and void. If the board fixed a time rate only, payment on piece rates was illegal unless authority to do so was expressly given as we have noted. From this it is evident that the power of the board to fix wages in any given industry has been fairly elastic and adjustable to different situations, even under the early acts.³ It is true that there was an administrative weakness in leaving the definition of the average worker to the employer. This will be discussed later in a specific connection.

A necessary corollary of fixing minimum wages is the determination of the maximum number of working hours per week. This was contemplated by the author of the first act and was practically carried out in the first determinations made by the

¹ Great Britain, Report to the Secretary of State for the Home Department, 1908, Ernest Aves, p. 20.

² Act of Parliament of Victoria, 1896, No. 1445, Sec. 15.

³ Act of Parliament of Victoria, 1900, No. 1654, Sec. 15.

boards. However, it was not formally enacted into law until 1900. Then it was expressly stipulated that all work for less than a full week should be paid for on a pro rata minimum basis of a full week's work. In that year provision was also made for the fixing of minimum overtime rates.¹ Thus the remuneration of labor was computed both as to units and in the aggregate, and evasion of the law through excessively long working hours prevented.

Several other features incident to putting the law into operation may be noted. The boards were to fix the proportion of apprentices and improvers to be allowed in any business and their pay.² No provision was made for old and infirm workers until 1900. A determination applied to every city or town and could be extended to any borough or shire by the Governor in Council. He could also suspend any determination for a period of six months and require the board to examine evidence regarding the same and amend it if such action was warranted.³ The validity of any determination might only be challenged before the Supreme Court. When once made, it was to continue in force until altered. The first breach of the act by an employee was made punishable by a fine up to £10; a second by a fine of from £5 to £25, and a third by a fine of from £50 to £100 and cancellation of the registration of the factory or workroom.⁴

The task of enforcing these various provisions was placed upon the factory inspectorial staff. It was given charge of the registration of factories and work rooms, of the issue of permits to old and infirm workers, of the visiting of outworkers, and of the general administration. In the Metropolitan districts the number of factories allotted to each inspector ranged from 352 to 500, and for normal districts the number in 1908 was about 365.⁵ The number of employees to each factory averaged about fifteen. Instructions were given inspectors to cover the factories in their appointed districts in six months but emergency work often interfered with the routine. No time limit was placed on the visiting of the out-

¹ Act of Parliament of Victoria, 1900, No. 1654, Sec. 25.

² Act of Parliament of Victoria, 1896, No. 1445, Sec. 15.

³ Amendment Act, Parliament of Victoria, 1897, No. 1518, Sec. 6.

⁴ Act of Parliament of Victoria, 1896, No. 1445, Sec. 15 (8).

⁵ Great Britain, Report to the Secretary of State for the Home Department, 1908, Ernest Aves, p. 23.

workers and in practice the inspectors are guided by the time that is available. Some white workers for instance may not be visited once a year while others may be visited several times. Outworkers are difficult to keep in touch with but there seems to be a feeling of confidence that their position is known, not less than that of factory workers.¹

2. INITIAL WORKING OF THE ACT OF 1896

Under the Act of 1896 six special boards were appointed: baking, bootmaking, clothing, furniture, and skirts and underclothing. These were deemed to be the most sweated trades and it will be pertinent to inquire into the early working of the act before proceeding to a discussion of the later amendments.

The Bread Board

The bread-making and baking board in April, 1897, fixed a minimum rate of wages for journeymen bakers of 48s. for a 48-hour week. In 1900 this rate was advanced to 50s. a week and a scale fixed for apprentices and improvers. In 1896 before the determination, the Chief Inspector of Factories reported the average weekly wages of men and boys to be 32s. In 1897 it was 37s. and in 1900, 44s., an increase of about 30 per cent.

The employers immediately began to evade the law by employing pastry cooks to do a part of the work hitherto done by bakers. A determination for pastry cooks in 1900 put an end to this, but employees were then required to return a part of the wages on Monday which had been paid to them on Saturday. Such collusion was found to be a common occurrence and the Victoria Royal Commission of 1903 reported that in many instances the law relating to the payment of journeymen bakers was not honestly carried out.

Another difficulty of which the Commission complained was the one man bakery. In 1901 there were 449 bake houses and only 981 employees in Victoria. Inevitably the larger establishments suffered severely from the competition of the one man shops to which the law did not apply. At one time the public regulation of the price of bread was advocated to meet this difficulty; yet in

¹ Aves, p. 23.

spite of this handicap conditions in the bread-baking trade were improved considerably.¹

The Furniture Board

The early attempts to abolish sweating in the furniture trade were only partially successful. Chinese competition was the one baneful element which it was almost impossible to control. In order to prevent Chinese domination, the law provided that these boards should be appointed instead of being chosen by employers and workers like other boards. The first determination fixed 45s. (\$11.25) a week as the minimum for experienced male employees and 20s. as that for experienced female workers. The average weekly wage paid by European manufacturers advanced from 29s. 7d. per week in 1896 to 40s. 5d. per week in 1900. The Chinese returned a corresponding weekly wage of 45s. 7d. or \$1.35 a week more than that of the European employers. The Commission, however, regarded this merely as a commentary on the evasion of the law by the Chinese. The solitary Chinese manufacturer is regarded as the worst competitor of legitimate industry. Numerous denunciations of his industrial and moral degradations are to be found in the report of the Commission as well as in many of the reports of the Chief Factory Inspector. Because of this unscrupulous competition, the European manufacturer was at first handicapped by the minimum wage. However, the general decline in the Victorian export trade in furniture was not due to this legislation. The Commission shows that Western Australia had been Victoria's principal customer prior to 1898. This was due to the increase of settlement caused by the development of the gold fields. Subsequently the demand for furniture naturally fell off. In the furniture trade as a whole, wages were improved even during the first few years of the experiment. The problem of the Chinese manufacturer was only partially met and it remained for future years to see its further solution.²

Boots and Shoes

In this trade the board struggled long and hard before arriving at a decision. Almost every point was decided by the casting vote

¹ Victoria, Report of the Royal Commission on the Factories and Shops Law, 1903, p. 44-6.

² Ibid, p. 48-52.

of the chairman. In August, 1897, the minimum wage for skilled workmen was fixed at 45s. per week, this being the chairman's compromise between the employers' offer of 30s. and the employees' demand of 60s. The employers protested this rate so earnestly that the Minister refused to promulgate the award, but instead sent it back to the board for revision. Again the chairman's vote decided, this time on a reduction to 36s. per week, which went into effect on December 29, 1897.

The operation of the award during the first year was quite unsatisfactory. Employers complained that piece rates were too high and discharged the old and slow workers. The next year, 1899, there was more trouble due to an advance in the price of leather and to the introduction of machinery. Workmen were displaced and piece work greatly decreased. Without the minimum wage law the competition of displaced workmen would doubtless have made the situation much worse than it was. After 1899 the tide turned. Although forty-seven of the smaller factories closed, the total number of employees increased. A natural selection of competent employers who could succeed without cutting wages thus took place. The Commission states that by 1901 the average wage for all classes of employment had increased 20 per cent, although as a result of improved organization the manufacturers figured the increase on their pay rolls at only 10 per cent. In 1902 the minimum for skilled workmen was again raised to 45s. a week. Exports gradually increased from a valuation of £40,960 in 1898 to £136,853 for nine months in 1902. The following table shows the gradual but steady recovery from the industrial depression of the late nineties.

| Year | Pair | Value |
|---------------------------|------|---------|
| 1896 | 171 | £37,619 |
| 1897 | 228 | 48,213 |
| 1898 | 181 | 40,960 |
| 1899 | 190 | 45,823 |
| 1900 | 248 | 61,463 |
| 1901 | 275 | 65,462 |
| 1902 (9 months) | 586 | 136,853 |

¹ Report of the Royal Commission, 1903, pp. 35-7.

Men's Clothing

The conditions formerly obtaining in the clothing trades were very typical of sweated industry. Low wages, long hours, and unsanitary conditions carried with them attendant evil results. The Commission pointed to the conditions disclosed by the Board of Inquiry in 1893, and declared that they could only be paralleled in the poverty stricken quarters of East London. Women and girls toiled from seventy to eighty-four hours per week for pay ranging from \$1.80 to \$3. It seemed difficult to attack this system of sub-contracting by a minimum wage scale but the attempt was made. The determination of the third wages board went into effect in November, 1897. It fixed 45s. and 20s. a week as the minimum rate for experienced male and female hands respectively. Rates were also fixed for apprentices and improvers of each sex and for piece work. The rates for the latter were fixed so high that employers soon discarded home workers altogether. The bad effects of this change were apparently slight. The majority of the home workers went into factories while a few obtained special licenses to work below the minimum rate. From 1896 to 1901 the average weekly wage of males advanced from 35s. 3d. (\$8.80) to 40s. 5d. (\$10.10), and that of females from 15s. 5d. (\$3.85) to 18s. 3d. (\$4.56). These are the figures for both adults and children and hence do not show the real advance. The averages for 1896 include few if any of the most poorly paid outworkers who are included in the figures for 1901. Thus it is evident that sweating in its worst form was abolished in this trade.

It is sometimes said that there was a great scarcity of employment in the clothing trade after the wages board act came into force. This is true but it was due to the fact that before the law took effect, the manufacturers worked overtime to accumulate a large stock of garments made up at cheap wage rates. Naturally the reaction came, but when business once more became normal, there was a scarcity of labor so that the employers demanded a change in the ratio of improvers to skilled hands. This was altered in 1900 so as to allow one female apprentice or improver to each two women earning the full minimum, instead of the former ratio of one to three.

Before leaving the clothing trade, one defect in the operation of the law should be noted. In 1899 there were about five hundred customs tailors to thirty manufacturers of ready-made clothing. The former class were able to elect four out of five representatives on the board. The manufacturers contended that their interests were not properly represented. In 1900 they were allowed to elect three out of five members. This was a step toward fairer representation and partially satisfied the complainants.¹

Muslin Undergarments

This white goods trade may be conveniently classified in two industries; the first covering lingerie, and the second including shirts, shirt fronts, pajamas, collars and cuffs. A wages board to deal with lingerie was appointed in 1897, but after several months of fruitless deliberation resigned. A second board was then appointed which arrived at a determination in June, 1899. Owing to the numerous kinds of garments, a schedule of piece prices was impossible. Since nearly all the workers in this industry are women, a rate of 16s. (\$4.00) per week was fixed for them only. Two apprentices or improvers were allowed to each skilled worker and graduated minimum rates were assigned according to length of service. Instead of a schedule of piece rates the board gave the right to an employer to pay by the piece provided it "shall be at least such a sum as will enable an average worker to earn four pence an hour." That these prices might be met, employers were required to furnish all materials free of charge.

It must be admitted that leaving the definition of "average" to the employer is a weakness from the administrative view point. No two employers are likely to agree in selecting this "average" worker. The chances are that the most competent person will always be selected. But none the less there was a general improvement in trade conditions. The average weekly wage of all women and girls advanced from 11s. 3d. (\$2.70) in 1898 to 12s. 5d. (\$3.00) in 1901, while in that year the average wage of adult females was 17s. 9d. This was in spite of a large ratio of apprentices which allowed many girls to earn less than the regular minimum. Many of the women shut out of the clothing trade

¹ Report of the Royal Commission, 1903, p. 37-41.

also invaded this industry, all of which enhances the significance of the figures here presented.

In the second branch of the undergarment trade, the manufacture of men's white goods little difficulty was experienced. On January 18, 1898, a minimum wage of 16s. a week was fixed. One apprentice or improver was allowed to three skilled workers. In 1901 the average wage for all women in the trade was 16s. 10d. per week, while 134 earned an average of 20s. 8d. a week. This is in marked contrast to the previous condition when a shirt maker at machining could only earn 1s. 7d. for a day of twelve or thirteen hours. The conditions were so far superior to those previously obtaining that the beneficial effects of the wages boards determinations can be unqualifiedly affirmed.¹

From this brief inquiry into the immediate operation of the wages board law, it can be seen that there were both successes and failures. Evasions had to be contended with in the bread making industry. The one man bakery was a constant problem. The Chinese factories constituted a difficult phase of law enforcement in the furniture trade. The introduction of machinery, the rise in the price of leather, and American competition, for a time seemed about to prove that the minimum wage was inapplicable to the boot making industry. The ratio of apprentices in the clothing trade and the definition of an "average worker" in the underclothing industry presented themselves as obstacles to the smooth operation of the system. But on the other hand, in spite of difficulties there was a gradual rise in the average wage of employees and an improvement of conditions in practically every department of the manufacturing business. Home workers were no longer earning their livelihood ground between the mill stones of necessity and cut throat competition. Boys and girls could no longer serve for years at a dead level of low wages and then in young manhood and womanhood be cast upon the scrap heap of inefficiency. Year by year their wages must increase if they remain at the trade. Consequently it was to the interest of the employer to see that his employees became efficient. It is true that at the end of this period of experiment, the system had its faults. The slow worker was not safeguarded. In the boot trade

¹ Report of the Royal Commission, 1903, p. 43-4.

especially did this class suffer dismissal. One employer with 280 hands discharged sixty or seventy of them for this reason. This pointed the way for an amendment of the law in this respect. The method of nomination of board members, the provisions regarding improvers, the control of Asiatics, collusion in payment of wages, the definition of an average worker and the fundamental question it involved, the definition of a minimum wage, these were problems which awaited clearer definition and a more practical application. That Victoria was willing to attempt the task and extend the system of wages boards is a sufficient indication that the experiment was not a failure.

3. SUBSEQUENT AMENDMENTS OF THE FACTORIES AND SHOPS ACTS

It will now be in order to trace in more or less detail the evolution of the wages board system through the various laws and amendments which have been enacted since 1897. Because of the close relation of various features of the acts, it has been deemed best to follow each phase individually, rather than to attempt the presentation of each amending act in succession. Before doing so, however, a general view of the several acts will serve to clear the way for the later discussion of specific topics.

Since the original act of 1896 including its amendment of the same year was passed, seventeen distinct acts and amendments have succeeded it, the last one in 1914 being an amendment of the consolidation law of 1912. As we have seen, the creative statute of 1896 was quite modest, being confined to an elementary statement of the plan and accompanying provisions for enforcement. As it was limited to four years, a law was passed in 1900 continuing the act and its amendments for two years more. The procedure in creating boards was also more clearly outlined, their powers were increased, improvers and apprentices were defined, and the provisions for enforcement were strengthened. On September 10, 1902, Parliament was prorogued without any action upon factory legislation. As a consequence all of the factories and shops acts completely lapsed and all the determinations ceased to have any legal effect from that date. For nearly three months there was

practically no factory legislation in force in the State of Victoria. When Parliament met after the general elections, one of the first bills to be voted upon was the Factories and Shops Continuance Act of 1902. It came into force upon December 5, 1902, and practically revived all of the preceding legislation on the subject.¹ In 1903 the Court of Industrial Appeals was established as the main feature of another continuance law. The main function of this court was to revise and amend the determinations of the wages board if petitioned for by a sufficient number of either employers or employees. In this year the report of the Parliamentary Commission authorized under the law of 1901, to inquire into the effect and operation of the preceding acts was made public. One of its principal recommendations was for the consolidation and separation of the laws relating to factories and shops. It also called for the repeal of all matter relating to wages boards and the establishment of an industrial conciliation and arbitration scheme. The latter recommendation which was made with the idea of more adequately dealing with strikes was not followed out. The consolidation and separation of the law dealing with factories and shops, and with wages boards, was, however, affected in the consolidating act of 1905. For the first time, the wages board system was put upon a permanent basis. Increased emphasis was laid upon provisions for enforcement, and the first guiding principle for a board to follow in fixing minimum wages was enunciated. From this time on there were several amendments which facilitated the administration of the law and extended the general scope of the system. Finally in 1912, the law was again completely overhauled and consolidated. This act incorporates in substance all that was contained in the previous amendments and with the act of 1914 stands as the latest word on factory and wage legislation in this state.

The Initiation of Boards

In the act of 1896 there was no statement of the part Parliament was to play in the creation of special boards, although that body did pass resolutions that they be created. By the act of

¹ Report of the Chief Inspector of Factories, 1903, p. 3.
For a full discussion of the later Parliamentary history of the law see The Quarterly Journal of Economics, Vol. 29, p. 126 ff.

1900 it was provided that no special board should be appointed without a resolution of either House of Parliament to that effect. In 1903 this requirement was changed to a resolution passed by both houses of Parliament. Almost at the same time the scope of the wages boards scheme was enlarged. At its inauguration only the trades carried on by means of factories and workshops were included. In 1900 an extension was made to include any process, trade, or business, to which in 1910 was added occupations. In that year the Governor in Council was given power in appointing members of boards to define the "area or locality within which the determination of each of such Special Boards shall be operative." He was also assigned the duty of adjusting the powers of two or more boards when such powers came into conflict. This function of the executive is now becoming increasingly important with the great number of wages boards. The greater sanction now required of Parliament for the establishment of boards has secured greater deliberation on the part of all concerned and checks the tendency to irresponsible action.

Election of Boards

We have previously noticed the cumbersome method of electing the members of special boards under the early acts. In 1903 this was greatly simplified. The right of appointment was conditionally vested in the Minister. However, before making any appointments he can publish his nominations in the Government Gazette. If within twenty-one days after making such nominations, less than one-fifth of either the employers or adult employees engaged in such trade or occupation object, those nominated are forthwith appointed by the Governor in Council. Should a valid objection be raised (of which the Minister is judge) the members are elected by whichever side has moved in the matter. The roll of electoral employees consists of those eighteen years of age or upwards returned by the employers. There is no limitation as to sex. Schedules are provided for these returns and employers in sending them in must certify to their correctness. If there are any outworkers and they comprise more than one-fifth of the employees on the roll of electors, they are entitled to one representative. County representatives are likewise provided for.¹ While

¹ Act of Parliament of Victoria, 1903, No. 1857, Sec. 4.
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theoretically the executive possesses sole power in making appointments, consultation with those engaged in the trades is always resorted to. Thus administrative efficiency and actual representation of those concerned is secured. Although the Governor fills vacancies without nominations and can remove any member of a board at will, these powers are not arbitrarily exercised. The method of election as described is without doubt a great improvement over the former one and is in force at the present time.

The Basic Principle of a Determination

One of the first questions arising in the mind of the student of any governmental policy is, "What is its guiding principle?" It is not the writer's intention at this point to analyze in detail the principles followed in the administration of the Victorian legislation, but to indicate some of the outstanding facts. The original purpose of Mr. Peacock in advocating wages boards was to abolish sweating and to improve the condition generally of sweated workers. In the original act there was incorporated no principle for the guidance of those called upon to fix wages. In 1903 the following paragraphs were enacted into law as containing the principles to be considered in making determinations.

(a) The Board shall ascertain as a question of fact the average prices or rates of payment (whether piece work prices or rates or wages prices or rates) paid by reputable employers to employees of average capacity.

(b) The lowest prices or rates as fixed by any determination, shall in no case exceed the average prices or rates as so ascertained.

(c) Where the average prices or rates so ascertained are not in the opinion of the Special Board sufficient to afford a reasonable limit for the determination of the lowest prices or rates which should be paid, they may so report to the Minister who shall in such case refer the determination for the consideration of the Court, and the Court in that event may fix the lowest prices or rates to be paid without having regard to the provisions of subsection (b).¹

¹ Act of Parliament of Victoria, 1903, No. 1857, Sec. 14.

From a reading of these provisions it would seem that the law-makers were timorously approaching the acceptance of the living wage as a guiding rule. This statement is quite broad and capable of a varied interpretation. What is average capacity? Who is a reputable employer? These are questions which inevitably arise. As the determinations actually worked out, they often proved to be a compromise between employers and employees. This is clearly instanced in the boot and shoe industry where a determination of 45s. per week was arrived at after a struggle for a rate of 60s. and 30s. proposed by employees and employers respectively. This has not always been the case by any means and many determinations have been ratified by substantial majorities of the board membership.

That the interests of the employers and the conditions of industry were to be safeguarded when making determinations, is evident from a clause relating to the attitude to be taken by the Court of Industrial Appeals in considering cases brought before it. Here the living wage is definitely enunciated as the right of labor, a right equal in importance to the rights of capital. It is stated that "such Court shall consider whether the determination appealed against has had or may have the effect of prejudicing the progress, maintenance of or scope of employment in the trade or industry affected by any such price or rate and if of opinion that it has had or may have such effect the Court shall make such alterations as in its opinion may be necessary to remove or prevent such effect and at the same time to secure a living wage to the employees in such trade or industry who are affected by such determination."¹

There can be no question of the intent of the act as expressed in this clause to uphold a living wage as the minimum wage. This clause was reenacted in the act of 1912 and is now in force. However, it applies only to the decisions of the Court of Appeals and not to the determinations made by the special boards.

The so-called Reputable Employers' clause was short lived, being totally repealed in 1907. This action had been recommended by the Chief Factory Inspector on the ground that the provision was really a hindrance to the work of the boards.

¹ Act of Parliament of Victoria, 1903, No. 1857, Sec. 16.

Following this failure to define the minimum wage, the act of 1910 enumerated some general facts to be observed in making determinations. Among these are: the kind and class of work, age and sex of workers, locality where the work is to be done, hour of day or night when the work is to be done, and any recognized custom in the manner of carrying out the work.¹ These stipulations are now in force and might possibly be construed into the expression of a principle if taken in conjunction with the clause for the guidance of the Court of Appeals. But as it stands it cannot be regarded as definite or conclusive in meaning. Thus it would seem that Victoria has so far been only partially successful in her search for the underlying principles of minimum wage legislation.

Special Classes of Workers

The provision made for special classes of workers by the Victorian legislation is important in showing the gradual evolution of the system under the stress of constantly arising problems. Under the original act the boards were given the power of fixing the proportion of apprentices and improvers under the age of eighteen years and their pay. During the years immediately after 1900 there was a shortage in the supply of skilled labor and hence a greater call for apprentices. Partly because of this demand the power to fix the proportion of apprentices to adult workers was withdrawn from the boards by the act of 1903, but it was again restored in 1910. A different ratio of male and female apprentices may be established but no board can fix a lower proportion than one apprentice for every three workers engaged in any process or trade. Various exemptions as to the number of apprentices to be allowed in certain cases were also enacted which have the effect of rendering the labor supply more elastic.² With what success these provisions have met we shall see under the head of administration.

The problem of the old and the slow worker was not perceived at the outset. In 1900 after many complaints had been received concerning the dismissal of workers, especially in the boot and shoe industry, it was provided that the Chief Factory Inspector

¹ Act of Parliament of Victoria, 1910, No. 2305, Sec. 5.
² Act of Parliament of Victoria, 1910, No. 2291, Sec. 2.

might issue licenses to aged, or infirm workers. This was a step in the right direction, but not until 1903 was the slow worker brought under this provision. The number of persons licensed as slow workers was not to exceed the proportion of one fifth of the whole number of adult persons employed in any one factory.¹ In 1907 the power to fix rates for aged, infirm, or slow workers, when expedient, was conferred upon the wages boards.² This provision is now theoretically in force. It is questionable whether in case a board should fix such rates, the Chief Inspector could legally grant a license at any lower rate. In practice, therefore, the Chief Inspector possesses the authority of issuing such certificates.

Amendment of Decisions

The necessity of some provision for the amendment of wages boards' determinations was recognized early in their history. In the initial act of 1896 the Governor in Council was given power to revoke or alter any order by notice in the Government Gazette. This did not, however, contemplate a deliberate amendment of determinations. During the following year an amendment was passed empowering the Governor in Council to suspend the determination of a special board for six months. The board was then to hear evidence and promulgate a new decision. If it adhered to its original decision the suspension was to be revoked not later than fourteen days thereafter.³

Although this amendment served a definite purpose, it did not secure decisions backed by a substantial majority of board members. In 1902 provision was made for the creation of a new fellmongers board which was to make no determination unless it were signed by seven of the ten members, the chairman to have no vote. The same majority was required for the determinations of several other boards. This literally required two of the employees to vote with the employers or vice versa.⁴ After a short and unsuccessful experience this attempt at agreement was abandoned in 1903 and another means to serve the same purpose inaugurated, the Court of Industrial Appeals.

¹ Act of the Parliament of Victoria, 1903, No. 1857, Sec. 7.
² Act of the Parliament of Victoria, 1907, No. 2137, Sec. 15.
³ Act of Parliament of Victoria, 1897, No. 1518, Sec. 6.
⁴ Act of Parliament of Victoria, 1902, No. 1804, Sec. 7-9.

For several years this court consisted of one judge of the Supreme Court chosen by the Governor in Council, and a registrar. By the amendment of 1914 its character was materially changed, and it is now constituted only when there is need for it. The Court now consists of a judge of the Supreme Court chosen as heretofore, and two other persons likewise appointed by the Governor in Council after nomination by the representatives of the employers and employees on the special board, the determination of which is appealed against. The president of the Court holds office for such period as the Governor in Council thinks fit, but the lay members serve only on the Court for which they are appointed.¹

A determination may be brought before the Court on the appeal of a majority of the representatives of either employers or employees on any special board. An appeal can also be made by any employer or group of employers employing not less than 25 per cent of the workers in any trade. A similar proportion of workers in any trade has the same right. Furthermore, the Minister may at any time refer a determination without an appeal. In arriving at its decision the Court must have regard for the general state of employment and if possible, secure for the individual a living wage. It has power to summon witnesses and examine documentary evidence, but no trade secrets or the financial position of any party may be made public without his consent. No barrister or solicitor may be heard except with the consent of both parties or upon the order of the judge.

When once made, the decision of the Court is final and may not be reviewed without its permission. Such permission may be given if upon *prima facie* evidence, the Court is convinced that a cause for review exists. From this it is evident that this Court is primarily one of appeal and not of original jurisdiction. This was clearly declared by Mr. Justice Hood in the first case brought before the Court. He stated that if the appellant left any doubt at all about the error of the Board's decision, the case would be dismissed and the decision affirmed.² The two methods of amending a determination either by reference to a wages board, or to the Court are now in use substantially as described.

¹ Act of Parliament of Victoria, 1914, No. 2558, Sec. 51.
² Report of the Chief Inspector of Factories, 1905, p. 10.

General Provisions for Enforcement

1. *Registration.*—The registration of factories and employees is one of the fundamental requirements in enforcing any system of factory legislation. At the inception of the wages board plan this was recognized and not only the registration of all factories and workshops was provided for, but also the registration of every person manufacturing articles of wearing apparel outside of a factory.¹ The latter provision was made still more inclusive in 1900 by the requirement that all outworkers employed in making clothing or wearing apparel except members of the employee's family shall be registered.² Similar enactments concerning outworkers have been embodied in every act in force since that time. It is also provided that in all other lines of manufacture where outwork is done that the occupier shall keep an accurate list of all persons doing such work, the amount of work, and the wages for which it is done. These particulars are all to be furnished to the Chief Factory Inspector on demand, but are not to be divulged to the public. It may be interesting to note the gradual widening of the definition of the word factory so as to meet the increasing complexity of employment conditions. In 1896 a factory or workshop was defined as any office building or place in which four persons or more other than Chinese, or in which one or more Chinese persons are employed at any handicraft, or in manufacturing articles for trade or sale.³ In 1905 and later in 1912 it was extended and limited so as to mean places in which steam, water, gas, oil, or electric power is used, where coal gas is made, where electricity is generated, where any clay pit or quarry is worked in connection with a pottery or brick yard, and where furniture, bread, or pastry is prepared for sale.⁴ Under shops are included retail stores, barber shops and rooms of hair dressers, dyers, and clothes cleaners. By further interpretation of the words handicraft and manufacture, practically every line of industry in the state, except agriculture, horticulture, and other pastoral pursuits is brought within the scope of the Factories and

¹ Act of Parliament of Victoria, 1896, No. 1445, Sec. 14.
² Act of Parliament of Victoria, 1900, No. 1654, Sec. 18.
³ Act of Parliament of Victoria, 1896, No. 1445.
⁴ Act of Parliament of Victoria, 1912, No. 2386, Sec. 5.

Shops Acts. It should be borne in mind, however, that their application is only to factories and shops situated within a city, town, or borough, unless extended to the shires by the Governor in Council. All of these establishments as well as the outworkers in most lines of employment are registered.

Having surveyed the history of registration, it will be in order to see how it is used as a means of enforcing the wages board determinations. As early as 1896 a true record of names, wages, and work of persons employed both inside and outside factories and workrooms was required. A copy of fines was also to be posted where all might easily read it. These provisions were enforced by respectable penalties.¹ Later acts gave the inspectors power not only to demand certificates of registration, lists of outworkers, and pay sheets, but the right to examine any employee either in private or in the presence of the employer. Inspectors have the right to enter any place of employment during reasonable hours of the day or night. Obstructions to the performance of inspectorial duty are severely punished. When a person is charged with an offense against the law, such charge is usually heard by the Court of Petty Sessions. All offenses are first reported to the Minister, and he may take action if he sees fit.² The burden of prosecution is thus thrown directly upon the Department of Labor. Various provisions as to the interpretation of an offense are worthy of consideration. An employer may be held for the full rate fixed by a determination notwithstanding any agreement to the contrary made with the employee. He is also subject to a penalty for the breach of the determination. The burden of proof in showing that the provisions of the act regarding the registration of factories have been complied with lies with the defendant. The defendant must also prove that he has complied with the law as to the proportion of apprentices or improvers allowed. No technical defenses are allowed the factory occupier, but on the other hand, if he proves to the satisfaction of the court that he used all due diligence to comply with the law, he is not held guilty of its contravention. The trial is expeditiously conducted and a decision rendered after the defendant is heard. As a rule the law is strictly enforced, with little delay due to tedious legal proceedings.

¹ Act of Parliament of Victoria, 1896, No. 1445, Sec. 12-14.

² Act of Parliament of Victoria, 1912, No. 2386, Sec. 220.

2. *Minor Provisions.*— Before leaving the subject of enforcement, attention should be called to some other minor prohibitions included in the acts. Any payment of wages in goods was made a contravention of the law in 1900. In 1912 the payment of all wages to each employee at least every fortnight was provided for.¹ No employer shall dismiss any employee because he has given information to an inspector, or because he is a member of a special board.² In this way the rights of the employee who may participate in the administration of the act are safeguarded.

Suspension in Case of Strike

One power of suspension of a determination possessed by the Minister in Council may be worthy of mention because of its potential value. Whenever the Minister has reason to think that an organized strike is about to take place in any process or business which is the subject of the determination of a special board, he may suspend the whole or parts of such determination for a period not exceeding twelve months. This suspension may, during this period, be altered in any way he thinks fit.³ How useful this clause may prove to be is merely a matter of speculation. Although it has been on the statute books since 1903 it has not yet been acted upon.

II. ECONOMIC AND SOCIAL CONDITIONS IN VICTORIA

1. INDUSTRIAL AND GEOGRAPHICAL SKETCH

The State of Victoria, lying at the southeastern extremity of Australia, has an area of 87,884 square miles or 56,245,760 acres. Bounded on the north and northeast by New South Wales, from which it is separated by the Murray river, it lies directly east of South Australia, the boundary line being about 242 miles in length. Although in area the State is only 1/34 part of the entire Australian continent, and is smaller than New York and Pennsylvania combined, it is almost as large as the island of Great Britain, which contains 88,309 square miles. The growth of the

¹ Act of Parliament of Victoria, 1912, No. 2386, Sec. 199.

² Ibid, Sec. 239.

³ Act of Parliament of Victoria, 1903, No. 2137, Sec. 34.

population has been striking. In 1842 there were 23,709 souls, which by the end of 1911 had increased to 1,337,678. During the same period the State revenue grew from a little over £87,000 to £9,200,000. Because of its geographical position, it has a climate more suitable to its European population than any other State upon the continent. Agriculture is naturally a most important factor in its economic life, there being 5,386,000 acres under cultivation, but this fact only serves to emphasize the sparse settlement of the country as a whole. The tendency has been for population to concentrate in the cities, and for this reason industry is found in an advanced stage of development, carrying with it numerous industrial problems which the State has attempted to solve. In 1909 exports amounted to nearly £30,000,000 and the imports were almost as large. Over 100,000 hands are employed in factories alone, or over five times the number so engaged in 1871.¹ Gold mining should not be forgotten as an influential factor in the development of the State, over half of the output for all Australia being exported from Victoria. But as the amount mined annually has been almost uniformly declining, our closest attention will be given to the manufacturing industries as the subjects of industrial regulation. These enterprises have absorbed the surplus labor from the gold fields and in their growing development have reflected most of the industrial evils of the old world. To the effect of the legislative remedies enacted we shall now give our attention.

2. ECONOMIC RESULTS AFFECTING THE WORKER

A. *Abolition of Sweating—Homework*

As we have already seen, the fundamental reason for the creation of the wages board system was the prevalence of sweating in various trades involving homeworkers. The acts provided for the registration of homeworkers, laying the burden upon their employers, the proprietors of registered factories. In the clothing trades this duty is put upon the employees themselves. Although workers on their own account and those employed by unregistered shops were exempted from this provision, Mr. Aves found no evidence that these classes constituted an unknown problem of sus-

¹ Victorian Year Book, 1911-12, p. 9.

pected urgency.¹ In 1908 the homeworkers known to the Factory Department were practically confined to four trades, dressmaking and underclothing, shirtmaking and clothing. A great majority of these have been concentrated in Melbourne. The statistics on the number of outworkers are not constant nor are they analyzed in the factory reports, but it is known that in 1901 out of a total of 1,093 homeworkers, only 63 were outside the metropolitan area. This was true of even a smaller number in 1902. Of those engaged in the clothing trade, 2.2 per cent. were homeworkers. In the dressmaking and underclothing trades the percentage was 10.6 per cent., and in the shirt trade about 22 per cent. In all the other trades only a negligible number of these workers was found.²

While exact statistics of homeworkers in succeeding years are not available, the chief lady inspector, Miss Cuthbertson, testified before the South Australian Select Committee in 1904 that they had diminished by more than half. In 1907 there was an apparent increase in the number of these employees, 1,455 being registered. This is attributed to the fact that there was a general season of prosperity in the sewing trades, which created a greater demand for indoor workers than could be supplied.³ Many of the mothers of girls employed in the factories then took in work to do in their spare moments. By an amendment of the law in 1911 the responsibility for the direct registration of outworkers was placed upon the employers. The employment of any unregistered person at homework is specifically forbidden. As an immediate effect of this proviso there has been a substantial apparent increase in the number of outworkers,⁴ 1,906 being reported in 1911, as against 1,584 for 1910.

Although there is thus an apparent increase in the number of these persons, it is not necessarily to be inferred that the amount of homework is relatively increasing. In fact there is evidence to the contrary. In the clothing trade, the ratio of piece rates to time rates tends to keep work inside the factory. Up-to-date machinery, the sectional system of doing work, direct supervision,

¹ Ernest Aves, Report to the Home Dept., 1908, p. 44.

² Report of the Chief Inspector of Factories of Victoria, 1901, p. 47.

³ Ibid, 1907, p. 63.

⁴ Ibid, 1911, p. 24.

and efficient organization generally can be utilized to the best advantage only in the factory. That this is actually the case is repeatedly confirmed by the reports of the Factory Department. But the important point to be kept in mind is that regardless of the number, the welfare of homeworkers is greatly improved. Sweating no longer prevails. Wages in most cases are fair. Complaints as to injustice are the exception. Compared to these fundamental facts, the question of quantity is of comparatively little importance.

No discussion of this subject would be complete without some mention of the part of the warehouseman in this system. He is chiefly of importance in the boot, shoe and various clothing industries. He may be an importer and a manufacturer, but his chief function is that of a middleman, distributing the products of the factory and workshop. In placing out contracts for work he is not responsible for wages, although he may supply the materials and give the specific orders for goods. The standard of quality must be strictly observed but there is no concern as to how or at what price goods are made. Thus, the warehouseman becomes really a medium for subcontract. Although there was no appreciable sweating in the "order" trade in the early nineties, the fear has been expressed that the warehouseman will afford an opening for a general revival of sweating, such as formerly existed in the "stock" trade. This fear has been felt since the legal position of the warehouseman was definitely fixed. In the case *Decision re Contract*, reported in *The Argus Law Reports*, September 19, 1905, it was decided that the responsibility for conforming with the determinations of the wages boards should fall upon the employer who actually plans the work and ultimately pays the wages, and not upon the person who merely places the contract. Thus it is made the business of the manufacturer to estimate wages cost in the light of the legal requirements and to meet the penalty for their violation. Although this would seem to offer an opportunity for evasion of the legal rates, it has not apparently resulted in any conspicuous violations.

We have already noted at some length the influence of the board determinations in several of the chief industries. In the prevention of sweating, both home and factory workers are involved,

although the term is more generally applied to those employed in the home. In either case the effect of the legal minimum wage has been to improve the condition of the worker, incidentally putting the honest employer equal with the sweater. To show that the result has been decisive we need only refer to numerous quotations from the reports of the Chief Inspector of Factories. In 1901 he says of the clothing trade:

"In the short space of three years the whole circumstances of the trade have been changed. No complaints are now heard of gross sweating, or of clothes made in miserable homes for a more miserable wage. The department has little trouble in enforcing the determination of the board. The average wage paid will show that the majority of the men and women employed receive more than the minimum wage."¹

In 1902 we have the following report of the underclothing trade:

"Many of the notorious 'sweaters' have settled down to fair prices. A few who at one time gave out work now make it up themselves instead of subletting it, while others have disappeared entirely from the trade. Complaints re sweating rates are conspicuous by their absence. This is, I believe, a significant fact, and may be taken as an indication that the workers believe their condition to be better."²

In 1905 the situation as to homework was commented upon in this language:

"Large quantities of work are still given out to workers in their own homes, although the total number is on the decrease; the tendency seems to have all work done indoors that is possible, as it can be turned out more cheaply and satisfactorily, particularly as the present fashions for ladies' garments are of very elaborate styles.

"I find where conditions are fixed in a trade they are very generally complied with."³

From this evidence it is safe to conclude that sweating as it was originally known has practically disappeared. The South

¹ Report of the Chief Inspector of Factories, 1900, p. 17.

² Ibid, 1901, p. 39.

³ Report of the Chief Inspector of Factories, 1904, p. 39.
See also, Boehringer, *Die Lohnämter in Victoria*, p. 173.

Australian Select Committee investigating the working of the Victorian system in 1904 reported in their findings that sweating in Victoria was no longer existent. That this is true seems to be pretty generally established. The dressmaking and millinery trades were complicated by a number of pocket money earners, desirous of turning their acquired knowledge to private rather than to industrial use. With the initiation of the system of wage regulation there were some dismissals in these trades, but in spite of this, the minimum standards have been maintained. The present conditions are in sharp contrast to the facts given in the reports for 1897. There were then known to the Factory Department 2,382 outworkers connected with the various clothing trades. Many of them had not yet benefited by the determinations and were found working long hours for a pittance of 10s. a week.¹ Against this picture the present situation compares very favorably. As against all other objections to the system of wages boards, the abolition of sweating stands out as one clear, distinct result of their operation.

B. The Special Boards and Wages

The relation of the special boards to wages in the several trades is partially discernible by statistics. Yet there are so many complicating influences entering into statistical results, that much caution must be used in interpreting them. Allowances must sometimes be made for special factors operating in a trade. But notwithstanding these limitations, certain general tendencies may be revealed by a study of the figures relating to general groups of trades.

In 1908 Mr. Aves found that of a total of forty-nine trades governed by wages boards, an increase for adult male workers had been made by boards in twenty-five cases. Six of these changes were unimportant, but substantial advances took place in many trades. The reductions made in the confectionery, pottery and saddlery trades, were quite insignificant. A few other changes such as we have already noted had been made by the Court of Industrial Appeals in such trades as artificial manures, fell-mongering, and breadmaking.²

¹ Report of the Chief Inspector of Factories for 1897, p. 14.

² Aves, p. 25.

NOTE.—Pages 1881 to 1891, inclusive, were withdrawn after the printing of the entire edition of this volume, including the subsequent pages. Therefore the paging has not been changed and the text following page 1880 is continued on page 1892. The omitted pages contained tables of statistics numbered 1 to 9, inclusive, which, on final revision but too late for correction in page proof, were deemed by the author as not necessary in support of his conclusions and possibly susceptible of misunderstanding without further analysis and explanation.

It has also been impossible to renumber the subsequent tables beginning with No. 10 on page 1893.

[1891]

TABLE No. 10

1-A. INCREASE OF AVERAGE WAGE EARNINGS IN BOARD TRADES. ADULT MALES EARNING MINIMUM RATES OR OVER—BY INDEX NUMBERS

| INDUSTRY | De-termination effective | State of trade | AVERAGE WAGE | | | |
|-------------------------------------|--------------------------|----------------|--------------|------|----------------------|------------------------|
| | | | 1900 | 1912 | Difference in number | Difference in per cent |
| Bedsteads, fenders..... | 1902 | + | 224 | 323 | 99 | 44.2 |
| Boot..... | 1897 | + | 254 | 334 | 80 | 31.5 |
| Bread..... | 1897 | + | 311 | 380 | 69 | 22.1 |
| Brick..... | 1901 | + | 250 | 332 | 73 | 28.1 |
| Brush makers..... | 1902 | = | 211 | 313 | 102 | 48.3 |
| Butchers..... | 1901 | + | 265 | 336 | 71 | 26.8 |
| Cigars..... | 1901 | + | 251 | 295 | 44 | 17.5 |
| Clothing..... | 1897 | + | 305 | 353 | 48 | 15.7 |
| Confectionery..... | 1901 | = | 212 | 352 | 140 | 66.0 |
| Coopers..... | 1901 | + | 250 | 393 | 143 | 57.2 |
| Engravers..... | 1901 | + | 294 | 426 | 132 | 44.9 |
| Fellmongers..... | 1901 | = | 203 | 274 | 71 | 34.9 |
| European furniture..... | 1897 | + | 300 | 374 | 74 | 24.6 |
| Mantel-pieces and over mantels..... | 1901 | + | 234 | 365 | 131 | 55.9 |
| Jam, pickles..... | 1901 | — | 197 | 293 | 96 | 48.7 |
| Jewelers..... | 1901 | + | 303 | 397 | 94 | 31.0 |
| Millet brooms..... | 1901 | + | 212 | 288 | 76 | 35.8 |
| Pastry cooks..... | 1901 | + | 252 | 337 | 85 | 33.7 |
| Plate glass..... | 1901 | + | 259 | 332 | 73 | 28.2 |
| Pottery..... | 1901 | + | 225 | 307 | 82 | 36.4 |
| Saddlery..... | 1901 | — | 231 | 285 | 54 | 23.3 |
| Stone cutters..... | 1901 | + | 229 | 351 | 122 | 53.2 |
| Tanners..... | 1901 | + | 218 | 303 | 85 | 38.9 |
| Wicker..... | 1902 | + | 219 | 335 | 116 | 52.9 |
| Woodworkers..... | 1901 | + | 242 | 345 | 103 | 42.5 |
| Woolens..... | 1902 | + | 209 | 284 | 75 | 35.9 |

NOTE.—These tables are based upon index numbers obtained by multiplying by six the average weekly wage rates as copied from the annual reports of the chief inspector of factories. This is merely for simplification and does not affect the ultimate result. Thus, the figures for the jewelry trade are as follows:

| Year | 1900 | 1912 |
|---------------------------|------------|------------|
| Average weekly wages..... | 50 s.-6 d. | 66 s.-3 d. |
| Index numbers..... | 303 | 397 |

State of Trade indicates whether the number of adult employees of the sex mentioned, increased or decreased in the industry from 1900 to 1912.

+ Indicates an increase of 20 per cent. or more.
 — Indicates a decrease of 20 per cent. or more.
 = Indicates a variation of less than 20 per cent.

TABLE No. 11

2-A. INCREASE OF AVERAGE WAGE EARNINGS IN BOARD TRADES. ADULT FEMALES EARNING MINIMUM RATES OR OVER—BY INDEX NUMBERS

| INDUSTRY | De-termination effective | State of trade | AVERAGE WAGE | | | |
|--------------------|--------------------------|----------------|--------------|------|----------------------|------------------------|
| | | | 1900 | 1912 | Difference in number | Difference in per cent |
| Boot..... | 1897 | + | 131 | 149 | 17 | 12.9 |
| Clothing..... | 1897 | + | 129 | 156 | 27 | 20.9 |
| Jam..... | 1901 | + | 81 | 128 | 47 | 58.0 |
| Shirt..... | 1898 | + | 100 | 142 | 42 | 42.0 |
| Underclothing..... | 1899 | + | 102 | 140 | 38 | 37.2 |
| Woolens..... | 1902 | + | 121 | 177 | 56 | 46.3 |

TABLE No. 12

1-B. INCREASE OF AVERAGE WAGE EARNINGS IN NON BOARD TRADES. ADULT MALES EARNING MINIMUM RATES OR OVER—BY INDEX NUMBERS

| INDUSTRY | State of trade | AVERAGE WAGE | | | |
|---------------------------------|----------------|--------------|------|----------------------|------------------------|
| | | 1900 | 1912 | Difference in number | Difference in per cent |
| Ammunition and safety fuse..... | + | 281 | 355 | 74 | 26.3 |
| Biscuits..... | + | 231 | 254 | 23 | 9.9 |
| Butter..... | = | 220 | 279 | 59 | 26.8 |
| Cement..... | + | 228 | 300 | 72 | 31.6 |
| Chemicals..... | + | 259 | 296 | 37 | 14.2 |
| Electrical supplies..... | + | 295 | 339 | 44 | 14.9 |
| European laundries..... | + | 206 | 292 | 86 | 41.7 |
| Hats..... | + | 317 | 392 | 75 | 23.6 |
| Hosiery and knitting..... | + | 225 | 340 | 115 | 51.1 |
| Nails..... | + | 272 | 289 | 17 | 6.2 |
| Photography..... | + | 253 | 338 | 85 | 33.6 |
| Preserving meats..... | + | 246 | 305 | 59 | 23.9 |
| Ties..... | + | 242 | 301 | 59 | 24.3 |
| Tobacco and cigarettes..... | + | 230 | 382 | 152 | 66.0 |
| Umbrellas..... | = | 262 | 303 | 41 | 15.7 |

TABLE No. 13

2-B. INCREASE OF AVERAGE WAGE EARNINGS IN NON BOARD TRADES. ADULT FEMALES EARNING MINIMUM RATES OR OVER—BY INDEX NUMBERS

| INDUSTRY | State of trade | AVERAGE WAGE | | | |
|---------------------------------|----------------|--------------|------|----------------------|------------------------|
| | | 1900 | 1912 | Difference in number | Difference in per cent |
| Ammunition and safety fuse..... | + | 94 | 153 | 59 | 62.7 |
| Biscuits..... | + | 91 | 128 | 37 | 40.6 |
| Chemicals..... | + | 95 | 124 | 29 | 30.5 |
| European laundries..... | + | 114 | 136 | 22 | 19.3 |
| Hats..... | + | 119 | 148 | 29 | 23.5 |
| Hosiery and knitting..... | + | 92 | 153 | 61 | 66.3 |
| Photography..... | + | 138 | 140 | 2 | 1.4 |
| Ties..... | + | 85 | 132 | 47 | 55.3 |
| Tobacco and cigarettes..... | + | 127 | 208 | 81 | 63.0 |
| Umbrellas..... | = | 109 | 136 | 27 | 24.7 |

Average Wage Increase

The direct increase in the average wage has been a common feature of both board and non board trades. For the adult males the average increase has been greater in the board than in the non-board trades. It will be seen that the general rate for both classes was about the same in 1900, but that the board trades attained to a somewhat higher level in 1912 than those not under such jurisdiction. This may be partially accounted for by the fact that the board trades are larger and more important. This was true in 1900 and likewise in 1912. In 1900 the average number of adult employees per board trade was 343 as against 72 for the non board trades. This was doubtless one reason for these trades being put under the board system, but it should not be forgotten that wages in this group were also somewhat lower in 1900 than in the other trades. As to the number of workers in the two groups, it will be seen that more industries are stationary or declining in the former. This is notably true of the confectionery trade in which females have been largely employed; of fellmongering, which has suffered from labor disputes; of saddlery, which has been hit by the tariff and other adverse influences, and of brushmaking which has always been relatively weak. In the non-board group only two trades are in a stationary condition and none are declining. However, it should be noted that tie making, while listed as progressive, employs very few men.

Taking up the consideration of women's wages, a different tendency is apparent. Practically all of the industries are progressive as regards number of employees. But the advance in wages has been greatest in the non board trades. However, wages in 1900 were at a much lower level in this group than in the board trades. Both groups advanced to about the same plane in 1912. In 1900 the average number of adult female employees was 836 per board trade as against 100 for each trade not under a board. The fact that the non board trades show as much advance in the wage scale as they do, is therefore a matter worthy of note.

Before passing the subject of average wage advances, it will be

well to notice the findings of Mr. Aves in this connection. Comparing the average wages of adult males in 1900 and 1906, he found that on the whole there was a considerable advance in the board, but only a trifling increase in the non board trades. While the tendency was the same then as now in this respect, there is much less difference to be found between board and non-board trades at present.¹ This may be explained in part by the fact that since 1906 several of the non-board trades considered by Mr. Aves have come under determinations, thus leaving unregulated the trades better able to maintain adequate wage standards. Inasmuch as Mr. Aves could secure no figures for females, a similar comparison cannot be made for that class of workers.

In this study of average wage increases, it is hard to draw definite conclusions. There are conflicting tendencies and qualifying influences in each set of facts. That there has been a great advance of wage standards in the board trades is established. That there has been a substantial though a less marked increase for males in trades not under board jurisdiction is equally true. We must also accept the fact that the wages of females have risen quite as much if not more in non-board as in board trades,—and to as high a plane. Whether later progress has been caused or accelerated by the board system after the first upward push may be open to doubt. But on the other hand some of the worst sweating conditions were unquestionably overcome with the aid of the wages boards. In the once sweated shirt trade there was in 1901 an increase of 300 per cent in juvenile labor and yet a higher average wage for all employees.² Other such examples are not lacking as we have seen. It is quite possible that the great service of a wages board is performed during the first years of its existence in lifting the underpaid employee to a firm footing of industrial reward. This is not to say that its later indirect effects are not important. When all factors are considered, perhaps the greatest benefit rendered by such a system is its general influence making for fair industrial standards.

¹ Aves, p. 43.

² Victoria, Report of the Chief Inspector of Factories, 1901, p. 36.

C. Does the Minimum Wage Become the Maximum?

It has often been asserted and sometimes with considerable force, that the minimum wage set by a special board tends to become the maximum or standard rate. In 1904 this declaration was made by no less an authority than the Select Committee of South Australia. Dr. Clark has also noted the tendency toward what would be called in this country, a "union wage."¹ In the opinion of Mr. Aves absolute uniformity of rating in any occupation was quite the exception, especially in skilled trades.² Yet he admitted that the proportion of workers receiving a wage above the minimum might often be a small one. In order to arrive at a clear opinion of actual conditions, recourse should be had to statistical evidence. Although this largely lacking, there is some instructive data available. We have also the testimony of those having first hand experience with the trades concerned, the inspectors of the Factory Department. In this way we may at least get an idea of the relative wage conditions obtaining in individual trades.

During the early history of the special board system, reports were rife that the minimum wage was the maximum wage. It appears that statements to this effect were commonly circulated by manufacturers and others anxious to discredit minimum wage legislation. In 1901, the Chief Inspector of Factories made a sweeping denial of this charge in language that is worth repeating. He wrote as follows:

"The Special Board system has now been in force in a few trades since 1897, and I have no hesitation in saying that the minimum wage is never the maximum wage. If we take the clothing trade, for instance, the minimum wage for adult males is 45s. per week, whereas the average wage paid last year was 53s. 3d. per week; for adult females in

¹ Bulletin of the U. S. Bureau of Labor, No. 56, p. 65.

² Aves, p. 49.

this trade the minimum wage is 20s. per week, whereas the average wage paid last year was 22s. 3d. per week."¹

He then cites similar figures for the boot, shirt, and furniture trades. These averages are significant, for where the average wage paid in a trade is so much higher than the minimum fixed, it is hardly correct to say that the minimum has become the maximum.

Since the early period of depression, wages in the boot trade have generally maintained a high level. In 1910 the legal rate for beginners was 5s. per week but it was the general custom of employers to pay 7s. 6d. for the first year's experience.² Of the plate glass trade it has more than once been said, "the minimum wage is not by any means the maximum."³ Notwithstanding the difficulties attending the determination of the Artificial Manure Board, owing to the downward revision of rates by the Court of Industrial Appeals, employers did not find it necessary to waive all discretion in the payment of wages. In 1907 an inspector stated that in the majority of cases the rates paid exceeded those provided by the Court. Such has been the experience of three fairly representative trades.

Very similar to the comments already noted are those concerning the jam and baking trades.⁴ When questioned, adult bread makers have always declared the wages paid to be in excess of determination rates.⁵ Naturally, this is not to be wondered at considering the demand for labor in this trade. The history of the brickmaking industry is instructive in that it shows the influence of trade conditions upon the wages paid by an employer. Throughout 1905 business was dull and there were few instances of wages paid in excess of determination rates.⁶ In 1906 trade was better and one inspector reported a factory paying all of its

¹ Victoria, Report of the Chief Inspector of Factories, 1901, p. 11.

² Ibid, 1910, p. 20.

³ Ibid, 1906, p. 35, 1908, p. 47.

⁴ Ibid, 1907, p. 41.

⁵ Report of the Chief Inspector of Factories, 1908, p. 21, 22.

⁶ Ibid, 1905, p. 14.

hands above the minimum scale. Business continued brisk, and in 1908 there was a general consensus of opinion that the rates paid were not limited by determination standards.¹ A similar trend is apparent in the millinery trade. Wages were very low when a determination came into effect in July, 1907, a majority of the employees then being paid the bare legal rate.² There was an improvement during the following year, and in 1910 the determination was amended, substantially raising the minimum rates. Yet despite this advance it was reported that no marked advance in average earnings need be expected owing to the small number of employees receiving the minimum.³ This is in contrast to the earlier reports which attributed the payment of bare legal rates to a surplus labor supply. It is thus evident that the condition of business and the state of the labor market are important factors bearing upon this question.

Mention might be made of still other industries where the minimum has not become the maximum rate. Conditions in the underclothing trade in which so much difficulty at first arose over the fixing of piece rates have been quite satisfactory in recent years. Wages, especially for skilled workers, have been far in excess of the minimum rate.⁴ Even in the shirt making industry where the worst kind of sweating at one time prevailed, experienced girls are now able to earn more than the legal wage.⁵ Without dwelling at further length upon individual instances, it may be said that the general tendency illustrated by these examples is also confirmed by such statistical evidence as is available. Through the kindness of Mr. Murphy, the Chief Inspector of Factories of Victoria, we are able to compare the legal minimum with the average wage paid in some of the representative trades. The following table prepared by Mr. Murphy in March, 1914, includes all of the trades where a direct compari-

¹ Report of the Chief Inspector of Factories, 1908, p. 24.

² Ibid, 1907, p. 44.

³ Ibid, 1910, p. 54.

⁴ Ibid, 1908, p. 55, 1909, p. 69.

⁵ Ibid, 1910, p. 64, 1906, p. 38.

son is possible. It will be seen that the average wage paid in these trades is in excess of the legal rate.

TABLE No. 14

A COMPARISON OF THE AVERAGE MINIMUM WAGE PAID IN CERTAIN TRADES WITH THE STATUTORY MINIMUM WAGE AS FIXED BY THE WAGES BOARD DETERMINATION FOR THE PARTICULAR TRADE

| BOARD | YEAR ENDING 31st DECEMBER, 1910 | | YEAR ENDING 31st DECEMBER, 1912 | |
|----------------------------|---------------------------------|-------------------|---------------------------------|-------------------|
| | Wages board rate | Average wage paid | Wages board rate | Average wage paid |
| Bread carters..... | 40/ | 40/10 | 48/ | 48/8 |
| Boot..... | 54/ | 55/8 | 54/ | 56/11 |
| Dressmakers..... | 16/ | 21/9 | 21/6 | 26/5 |
| Furniture (bedding) | | | | |
| Males..... | 50/ | 52/4 | 57/ | 61/10 |
| Females..... | 25/ | 26/4 | 27/6 | 28/3 |
| Furniture (cabinet making) | | | | |
| Females..... | 25/ | 27/2 | 27/6 | 29/9 |
| Jam trade..... | | | 48/ | 48/8 |
| Livery stable..... | | | 42/ | 44/8 |
| Milliners..... | 22/6 | 31/5 | 22/8 | 32/4 |
| Organ..... | 58/ | 64/8 | 58/ | 61/5 |
| Process engravers..... | | | 62/ | 83/6 |
| Underclothing..... | 20/ | 21/1 | 20/ | 23/9 |

NOTE.—In the other trades this comparison cannot be made as there is more than one minimum wage and it is not possible to ascertain from the records collected the proportion of employees at the different classes of work.

It is not to be inferred from what has been said that this question is entirely one sided. Indeed there is evidence to the contrary. Although the success of the ironmoulders' determination has on the whole been quite commendable, since 1906, the tendency has been to pay unskilled workers the bare legal rates.¹ At the same time skilled workmen are paid quite independently of the board determination.² So also the minimum wages for oven-makers are seldom raised, despite the competition in the labor market for competent workmen.³ In the aerated water trade wages have steadily inclined toward a standard rate. In 1907 several inspectors reported a number of employees in their districts to be receiving more than the legal rates. In 1909 we are told that the determination rates are exceeded in some cases. After that year not a single statement of this character was made. Nothing but a general dead level of wages can be inferred from the annual reports of the Factory Department.⁴

¹ Report of the Chief Inspector of Factories, 1906, p. 30.

² Report of the Chief Inspector of Factories, 1910, p. 49.

³ Ibid, 1906, p. 33, 1910, p. 53.

⁴ Ibid, 1910, p. 16.

A more detailed review might be made of some other industries, such as the cardboard box,¹ starch,² saddlery,³ and order dress-making trades,⁴ but enough has been pointed out to show that this question is not all one sided. In trades such as boot-making, clothing, underclothing, shirtmaking, and breadmaking, the minimum wage has clearly not become the maximum. In others it is evident that a standard rate is being closely approached. And on reflection it is not difficult to see why this should be so in Victoria. Although the living wage is the general standard in fixing minimum rates, the boards do not adhere to definite principles. Rather, a determination is the resultant of two opposing forces, the employer and the employee. The rates are often unconsciously fixed according to the real and just value of the services to be rendered. Of the three main classes of employees, adults of both sexes, and apprentices and improvers of both sexes, the practice of paying over the legal rate seems to be the most common in the two latter classes. The frequently low rates for juvenile labor and the greater variation in its efficiency give an opportunity for this. Thus it happens as Mr. Aves has pointed out, that the difference between apprentice and improver is often more nominal than real.⁵ It would seem that the rate fixed for any given trade has a large part to do in making that a minimum or a standard rate. If the rate fixed is not too high and the demand for labor is normal, higher wages are bound to be paid to the more skilled hands, and even to the workers of the lowest grade. This has actually been the case in industries that we have reviewed. But it must be admitted as Mr. Murphy has pointed out, that in Australia generally the action of the wages boards and the arbitration courts has been to unduly inflate the pay of unskilled as compared to skilled workers. Mr. Murphy says: "This of course will have a number of evil effects, and to my mind is the greatest defect that can be pointed out against the wages board system as we know it in Victoria. It takes away

¹ Report of the Chief Inspector of Factories, 1908, p. 26.

² Ibid, 1908, p. 52.

³ Ibid, 1907, p. 50 and 1908.

⁴ Ibid, 1910, p. 37.

⁵ Aves, p. 50.

the inducement of the energetic young worker to increase his efficiency. As this factor increases in importance, it will probably have the effect of further equalizing the pay of workers in any trade."¹ But without minimizing any of the opposing evidence, it can by no means be said that the minimum wage has become the maximum. Although this charge is still made by some Australian employers, as Professor Hammond has observed, they have been unable to furnish definite facts to back up their statements.² The following conservative opinion expressed by Mr. Murphy in March, 1914, is quite significant in this regard.

"I do not think the tendency to make the minimum wage the standard wage has been increasing in recent years, because the supply of labor in this State has been low. It is possible that this may be effected whenever it should happen that the supply of labor is greater than the demand, but I do not think we will ever reach a time when a good and highly skilled workman will not be able to command considerably above the legal rate."³

Until definite statistics are compiled by the Victorian authorities as to wage distribution, we must be content with knowing that in a large section of industry the minimum rate has not become the maximum. Much depends upon standards in rate making and upon individual industrial conditions. But there is nothing inherent in the Victorian experience to prove that legal regulation levels down wages to a standard scale.

D. Cost of Living

The general rise in the cost of living during recent years in most parts of the world is a matter of common knowledge. It is a phenomenon due to many causes and subject to an infinite number of complex influences. To endeavor to say that one factor even in a small state or city has a certain quantitative weight is impossible. For this reason the writer shall not attempt to say

¹ From a written statement to the writer, March, 1914.

² Annals of the American Academy of Political and Social Science, 48:33.

³ From a written statement to the writer.

See also Appendix III, p. 62, of the Third Report of the N. Y. State Factory Investigating Commission, 1914.

whether or not the board determinations have resulted in a higher cost of living in Victoria. However, it is pertinent to inquire whether the cost of living has outstripped in rate of increase the compensation of the worker, and whether the means of subsistence for the working classes has continued ample.

In making an estimate of the relation of the factors mentioned to each other, recourse may be had to various statistical tables. We have already seen that wages of adult male workers in board trades increased about 37 per cent. from 1900 to 1912. In non-board trades this figure was somewhat less, being on an average 27 per cent. for 15 industries. (Tables Nos. 10, 12.) Mr. Knibbs, the Commonwealth Statistician, is somewhat more conservative. He shows that for 150 occupations in Victoria there was a wage increase in 1912 of 30.4 per cent. since 1901 and of 31.7 per cent. since 1891.¹ However, it should be remembered that these figures include both board and non-board trades.

The increase in the cost of living is more difficult to ascertain. There are no statistics directly comparable, the only ones available being for the city of Melbourne and for the Commonwealth as a whole. According to the Commonwealth Bureau of Census and Statistics, the retail prices for groceries and food in Melbourne have increased 12 per cent. since 1901, while house rents have increased 38.5 per cent. The total cost of living calculated on a scheme of weighted averages is shown to have grown 21.2 per cent. from 1901 to 1912.²

Another way of showing the variation in living costs is by the purchasing power of money. Using this method it has been found that 17s. 3d. in 1901 was equivalent to 20s. 11d. in 1912. In other words, the goods comprehended as necessities of life increased in price 21.2 per cent. This figure is the same as the one previously noted.³

With the aid of available facts, to what conclusion may we come? So far we have seen that while wages for the whole state have nominally increased a little over 30 per cent. during the period under consideration, the cost of living in Melbourne has increased something over 20 per cent. While the wage schedule for

¹ Official Year Book of the Commonwealth of Australia, No. 6, p. 1129.

² Ibid, p. 1144.

³ Ibid, p. 1146.

Victoria are not directly comparable with the cost of living for Melbourne, it is to be remembered that the population of this city includes over 40 per cent. of the people of the entire state. The increase of wages for Victoria apparently exceeds the rise of living costs in Melbourne by at least 10 per cent. It is true that according to the Commonwealth Statistician, there was a decrease in effective wages in 1912, but this decrease was not peculiar to Victoria, nor did it continue during the following year. For the whole period under consideration, wages have apparently kept pace with the higher cost of the means of livelihood.

E. Displacement of Workers

It is often said that whenever wages are suddenly and arbitrarily raised by the force of legislative authority, that labor is apt to suffer from a general reduction in the number of workers. That this has been the actual result in many trades in Victoria is not denied. During the years 1897-1900 the problem of enforced idleness on the part of laborers became so serious that a board of inquiry on unemployment was authorized, which reported to Parliament in 1900. Among their enumeration of the causes of this condition was the statement that minimum wage legislation was partially responsible for the premature forcing of many workmen into the ranks of the unemployed.¹ In 1902 a royal commission in reporting on the Factories and Shops Law stated that many dismissals had occurred among the butchers and woodworkers.² Two years later a select committee of South Australia declared that many operatives in Victoria had been thrown out of employment. Thus there is undoubted evidence that labor has been in distress owing to a lack of work. Whether or not this has been a permanent condition we shall see later. A closer view of trade conditions in some of the more important industries will clear the way to better understanding of this phase of the subject.

The period of the greatest unemployment distress was from 1898 to 1902. New markets due to the formation of the Commonwealth were not as yet influential. The country had not yet emerged from a slough of commercial despondency and no pro-

¹ Victoria, Report of the Board of Inquiry on Unemployment, 1900, p. 13.

² Royal Commission on the Factories and Shops Law of Victoria, 1902-3, pp. 46, 58.

vision had been made in the Wages Board Acts for the old, infirm, or slow worker. Consequently some of the trades were seriously affected. Scores of boot and shoe workers were jobless. But if there had been no minimum wage law in effect, the same condition would have obtained. Improvements in machinery had caused the supply to exceed the demand. With an overstocked labor market, mechanical substitutes for hand power, and greater productive speed, the result was inevitable. This was freely admitted by the chief inspector of factories in 1898, who wrote as follows:

"Where a piece work rate can be put in force, the old and slow worker will have a chance for work, but I am now dealing with a trade in which there is an excess of labor, and where piece work is fast dying out owing to new machinery."¹

It is known that employees are likely to be thrown out of work when higher wages are enforced by union action or when higher standards are set up by public contracts. Here special economic influences combined with interfering legislation produced serious demoralization. But eventually the trade recovered its balance and the labor market was readjusted. The fact that the number of adult males employed in the trade increased from 1,897 in 1900 to 2,861 in 1912, and the number of females from 600 to 1,571 during the same years is conclusive evidence that the trade was not permanently injured by the enactment of a higher wage standard.

In another of the initial board trades, the clothing industry, the average wage of 4,484 employees was raised 2s. 9d. per week by the determination of 1897. This was equivalent to the sum of £32,060 12s. for a whole year's work. Many women who formerly did homework were forced into the factory, while some were left without employment. The number of persons employed in the trade in January, 1898, was 208 less than at the same time in the previous year. But at the close of the year 1898 returns were given for 249 more employees than were on the books at the beginning. In the light of these facts it cannot be said that the employment of adult workers was lessened by the determination.²

In the dressmaking trade, where women are largely employed,

¹ Report of the Chief Inspector of Factories, Victoria, 1898, p. 13.

² *Ibid.*, 1898, p. 8.

it was freely predicted that a summary dismissal of workers would follow the enforcement of a determination in 1904. What did happen was that both the number of adult females and total number of female employees in the trade actually increased during that year. It is true that in one district (Ballarat) several firms dismissed a part of their hands on account of the determination and later on made an application to work overtime. These applications were refused and an adjustment was made by taking on more hands. Other firms instructed their girls to apply for licenses to work at less than minimum rates, and on failing to obtain them, paid the regular rate.¹ Thus it can be seen that in this trade the much feared evil of unemployment was largely imaginary.

The fear of a wholesale discharge of workers due to higher wage standards has frequently been voiced as the board system has been extended from trade to trade. But the actual history of the trades in question has not confirmed these predictions. The tin-smith's determination in 1905 was greatly feared, but very few dismissals resulted.² In 1909 the draper's trade came under a determination and had a similar experience.³ The testimony of Mr. Aves is in line with the history of these trades. In reply to a general question as to whether there was personal knowledge of any cases, either of employer or employees being driven out of business by the wage boards, 49 out of 82 replied in the negative. It is especially significant that this answer was given by 21 out of 25 of those representing the employees.⁴ It can hardly be maintained that a permanent demoralized labor market has resulted from the enforcement of wage legislation.

Although comparatively little hardship to workers has resulted in the majority of trades, and none at all in some of the most typical and best known industries, it is not contended that no dismissals have occurred in branches coming under the board regime. On the contrary, the opposite is the case. Of a list of 17 trades coming under a determination from 1903 to 1910 and having a continuous history from 1900 to 1912, 9 showed a decrease in the number of adult male workers, while there was an increase in 8. The variation was calculated for the determination year

¹ Victoria, Report of the Chief Inspector of Factories, 1904, p. 22.

² *Ibid.*, 1905, p. 33.

³ *Ibid.*, 1909, p. 40.

⁴ Aves, pp. 61 and 187.

over the immediately preceding year when the trade was under no wage restraints. In a similar group of 6 trades employing females, 3 show a decrease, 2 an increase, while 1 remained practically stationary as to the number of adult workers employed during the determination year. Another group of 27 trades employing males in which determinations took effect during 1901 and 1902, shows a decrease for 15, an increase for 10 and a stationary condition for 2.¹ While these figures are not conclusive, they are indicative of the fact that there has been a smaller number of adult employees during the determination year in about half of the industries considered. Not only is this true, but there have been respective decreases and increases in the number of total employees in the majority of cases. There are some significant exceptions which will now be considered.

It has been argued that the operation of minimum wage limits must necessarily be to throw efficient adult workers out of work and fill their places with children, young persons, and women. It has also been contended that the opposite result is the most logical, that is, that efficient adult workers will displace the partially efficient employees and children. Both results are here exemplified to some extent. In five of the trades included in the first group mentioned (No. 15) there is a greater percentage increase in the total number of employees than in the number of adult male workers. In some of these trades there is a sharp decrease in the number of adults while the total number of employees remains practically the same from one year to another. These figures naturally mean that the number of other classes of workers has been increased, and the accompanying columns show a greater number of apprentices and improvers. Thus a decrease in the number of adult printers was accompanied by an increase of learners. The same general trend is reflected in the female occupation of dressmaking, where there are more juveniles employed than adults. However, these figures are only suggestive and the reader may draw his own conclusions.

The second argument, that adult workers will displace the less efficient classes, is also supported by a few instances. This can easily be seen by glancing at Table No. 15 and at Table No. 16.

¹ See Tables Nos. 15, 16, 17.

TABLE No. 15

1-A. VARIATION IN AMOUNT OF EMPLOYMENT DURING THE DETERMINATION YEAR — MALES

| INDUSTRY | De-termination effective | State of trade | EMPLOYEES | | APPRENTICES AND IMPROVERS | | |
|----------------------------|--------------------------|----------------|------------------------------|-----------------------------|---------------------------|--------------------|------------|
| | | | Per-centage variation Adults | Per-centage variation Total | Number first year | Number second year | Vari-ation |
| Brick..... | 1901 | + | 6.5 | 4.4 | 31 | 24 | -7 |
| Butchers..... | 1901 | + | -3.2 | -1.4 | ..... | ..... | ..... |
| Cigars..... | 1901 | + | 30.8 | 15.6 | 88 | 70 | -18 |
| Confectionery..... | 1901 | = | -31.5 | -4.7 | 124 | 164 | 40 |
| Coopers..... | 1901 | + | 19.4 | 23.6 | ..... | ..... | ..... |
| Engravers..... | 1901 | + | -15.3 | 90 | 25 | 40 | 15 |
| Fellmongers..... | 1901 | = | -64.1 | -58.9 | ..... | ..... | ..... |
| Furniture: | | | | | | | |
| Bedding..... | 1901 | + | ..... | ..... | ..... | ..... | ..... |
| Wire mattresses..... | 1901 | + | ..... | ..... | ..... | ..... | ..... |
| Mantles, etc..... | 1901 | + | -30.9 | -13.2 | ..... | ..... | ..... |
| Jam, pickles..... | 1901 | - | -63.5 | -53.0 | ..... | ..... | ..... |
| Jewelers..... | 1901 | + | 2.2 | -5.2 | 156 | 131 | -25 |
| Millet brooms..... | 1901 | + | 253.8 | 252.6 | ..... | ..... | ..... |
| Pastry cooks..... | 1901 | + | 2.5 | 34.0 | ..... | ..... | ..... |
| Plate glass..... | 1901 | + | 72.3 | 46.8 | 49 | 60 | 11 |
| Pottery..... | 1901 | + | 40.3 | 24.9 | 133 | 128 | -5 |
| Saddlery..... | 1901 | - | -29.0 | -26.4 | ..... | ..... | ..... |
| Stone cutters..... | 1901 | + | 43.9 | 46.3 | ..... | ..... | ..... |
| Tanners..... | 1901 | + | -11.8 | -8.0 | ..... | ..... | ..... |
| Wood workers..... | 1901 | + | 21.7 | 12.0 | ..... | ..... | ..... |
| Bedsteads, etc..... | 1902 | + | -57.6 | -53.8 | ..... | ..... | ..... |
| Brewers..... | 1902 | = | 1.8 | 14.0 | ..... | ..... | ..... |
| Brush workers..... | 1902 | = | -16.8 | -12.0 | ..... | ..... | ..... |
| Malt..... | 1902 | + | 4.6 | 30.9 | ..... | ..... | ..... |
| Printing: | | | | | | | |
| Metropolitan district..... | 1902 | + | 12.5 | 2.9 | 638 | 823 | 185 |
| Outside..... | 1902 | - | -38.4 | -33.9 | ..... | ..... | ..... |
| Bookbinding..... | 1902 | = | -26.8 | -38.0 | ..... | ..... | ..... |
| Wicker..... | 1902 | + | -32.0 | -27.5 | ..... | ..... | ..... |
| Woolens..... | 1902 | + | -4.1 | -3.4 | ..... | ..... | ..... |

SUMMARY

| | |
|-----------------------------------|----|
| Total number of trades..... | 27 |
| Increase in number of adults..... | 10 |
| Decrease in number of adults..... | 15 |
| Stationary..... | 2 |

NOTE.—State of Trade indicates whether the number of adult employees of the sex mentioned, increased or decreased in an industry from 1900 to 1912.

- + Indicates an increase of 20% or more.
- Indicates a decrease of 20% or more.
- = Indicates a variation of less than 20%.

TABLE No. 16

1-C. VARIATION IN AMOUNT OF EMPLOYMENT DURING THE DETERMINATION YEAR — MALES

| INDUSTRY | De- termi- nation effective | State of trade | EMPLOYEES | | APPRENTICES AND IMPROVERS | | |
|------------------------|--------------------------------------|----------------------|---|--|------------------------------|--------------------------|----------------|
| | | | Per- centage vari- ation Adults | Per- centage vari- ation Total | Number first year | Number second year | Vari- ation |
| Leather goods..... | 1903 | + | -23.9 | 2.1 | 46 | 59 | 13 |
| Aerated waters..... | 1904 | = | -8.0 | 2.4 | 169 | 146 | -23 |
| Artificial manure..... | 1904 | + | -28.0 | -25.8 | 19 | 27 | 8 |
| Brass workers..... | 1904 | + | -19.0 | -17.7 | 201 | 206 | 5 |
| Dresses—mantles..... | 1904 | + | 36.6 | 12.4 | 15 | 10 | -5 |
| Iron moulders..... | 1904 | + | 4.5 | 12.3 | 220 | 280 | 60 |
| Ovens..... | 1904 | + | -13.4 | -4.6 | 55 | 61 | 6 |
| Tinsmiths..... | 1906 | + | ..... | ..... | ..... | ..... | ..... |
| Cycles..... | 1907 | + | 22.9 | 25.8 | 149 | 193 | 44 |
| Flour..... | 1907 | = | -15.2 | -14.8 | 48 | 42 | -6 |
| Picture frames..... | 1909 | + | 5.3 | 6.0 | 96 | 102 | 6 |
| Carriages..... | 1910 | + | -11.5 | 10.5 | 654 | 785 | 131 |
| Electroplaters..... | 1910 | + | -7.2 | 17.7 | 55 | 43 | -12 |
| Glass workers..... | 1910 | + | 16.6 | .9 | 215 | 168 | 47 |
| Ice..... | 1910 | + | 19.0 | 20.5 | 8 | 12 | 4 |
| Plumbers..... | 1910 | + | 207.8 | 168.4 | 67 | 123 | 56 |
| Rubber goods..... | 1910 | + | -4.4 | 2.6 | 44 | 71 | 27 |
| Wire workers..... | 1910 | - | 52.9 | 37.7 | 27 | 32 | 5 |

SUMMARY

| | |
|---------------------------------------|----|
| Total number of trades..... | 17 |
| Increase in the number of adults..... | 8 |
| Decrease in the number of adults..... | 9 |

TABLE No. 17

2-C. VARIATION IN AMOUNT OF EMPLOYMENT DURING THE DETERMINATION YEAR — FEMALES

| INDUSTRY | De- termi- nation effective | State of trade | EMPLOYEES | | APPRENTICES AND IMPROVERS | | |
|--------------------------|--------------------------------------|----------------------|---|--|------------------------------|--------------------------|----------------|
| | | | Per- centage vari- ation Adults | Per- centage vari- ation Total | Number first year | Number second year | Vari- ation |
| Leather goods..... | 1903 | + | -42.8 | 30.2 | 32 | 57 | 25 |
| Dresses and mantles..... | 1904 | + | .7 | 14.2 | 3,121 | 3,882 | 761 |
| Milliners..... | 1907 | + | -36.5 | 5.1 | 1,505 | 1,276 | -229 |
| Waterproof clothing..... | 1907 | + | 38.3 | 21.0 | 53 | 48 | -5 |
| Carpets..... | 1909 | + | -38.0 | -35.6 | 34 | 24 | -10 |
| Rubber goods..... | 1910 | + | 5.2 | 9.0 | 40 | 46 | 6 |

Here the number of adult workers has increased relatively more than the total working force during the determination year. Accordingly there is a corresponding decrease of apprentices and improvers for the same length of time.

Attention is called to the two foregoing sets of facts merely for the sake of illustrating these well known arguments. It is impossible to generalize on either from the statistics available. The influences operating on industrial conditions are so varied and so complicated that it is almost impossible to disentangle them by statistical calculations. This is made the more apparent by studying the figures for some of the trades such as Plumbing, Wireworks, and Plate Glass. These trades show not only a greater proportionate increase in the number of adult workers during the determination year, but a growth in the number of apprentices as well. With the exception of the wireworkers, this undoubtedly reflects a prosperous condition of the industry. Hence, we are forced to conclude that nothing very definite can be said as to adult workers crowding out apprentices and vice versa. Yet we can discern two tendencies at work; one reducing the force of adult workers to make way for those less skilled, the other, crowding out the less efficient for the more efficient competitor. In some prosperous trades the numbers of both adult workers and learners are increasing. In others on the decline, the reverse is true. And in some there are individual fluxes which can be explained by none of these suppositions.

Returning now to a consideration of the main facts revealed by these tables, it is observed that about half of all the trades mentioned in this connection had fewer adult employees immediately after the board determination took effect. As we have seen, special and local influences may have been responsible for this condition in some cases. But the important fact to remember is that in only three instances was a decreased number of employees during the determination year associated with a permanent decline in the number of workers occupied in the trade, and in only six did a stationary condition obtain. The great majority of industries have flourished and employed a

larger number of hands with each succeeding year, once the period of readjustment is past. This indicates that the greater part of the unemployment caused by the higher wage standards is one of adjustment. The prosperity and growth of industry is the best proof that the adjustment has been successfully made.

Displacement of Men by Women

An interesting phase of the general problem of the labor market in Victoria, is the place occupied by women. In 1908, Mr. Aves found that out of 49 board trades, females were employed in 27, although to an important extent in only 17. His figures show that in 1896 women made up 33.7 per cent. of the total number of factory employees, while in 1906 the proportion had increased to 40 per cent.¹ In 1911 this percentage dropped to 34 according to the Government Statistician.² While these facts show that women are tending to occupy a large place in industry, it cannot be said that this is positively injurious in its effects, or that it is caused by the board determinations. It is true that in the clothing trade the industrial position of the men has been weakened, but in general the work taken by the women may be recognized as theirs. This is notably evident in such trades as millinery, dresses and mantles, shirts, confectionery, and woolen goods. While in some cases the province of male and female labor probably does overlap, we must also remember that equal pay for equal work is given in several trades such as printing and cigar making. Therefore, while it is true that women are becoming numerically of greater industrial importance, this fact is not due in the main to the competition of low paid female workers for the positions of men.

Employment of Children in Factories

It has often been stated that there is a large amount of child labor in the factories of Victoria, children being employed to the detriment of adult workers. This is an erroneous impression as the following table will show.

¹ Aves, p. 66.

² Victorian Year Book, 1911, p. 750.

Average Number of Children Under Sixteen Years of Age Employed in Factories, 1906 to 1911¹

| Year | Males | Females | Total | Total no. employees |
|----------------|-------|---------|-------|---------------------|
| 1906 | 3,213 | 2,997 | 6,210 | 85,229 |
| 1907 | 3,253 | 3,095 | 6,348 | 90,903 |
| 1908 | 3,049 | 3,065 | 6,114 | 93,808 |
| 1909 | 2,817 | 2,496 | 5,313 | 97,355 |
| 1910 | 2,753 | 2,174 | 4,927 | 102,176 |
| 1911 | 2,623 | 1,937 | 4,560 | 111,948 |
| 1912 | 2,652 | 1,740 | 4,392 | 116,108 |

From these figures it can be seen that not only has there been a relative decline in child labor, but a great absolute decrease as well. In 1909 the rules for the employment of children were made generally stricter, the age limit for females being raised from thirteen to fifteen years. This has caused an increasing dearth in the supply of juvenile workers. Coupled with this is the fact that prosperity and a reduction in the cost of education has induced many parents to keep their children in school longer. While this tendency has augmented the general scarcity of female workers, there can be no doubt that it will ultimately make for a higher standard of labor.² Some employers deem child labor essential to industry and deprecate restrictions, but the major portion of public sentiment has declared itself against this selfish demand. A premium is being put on children, not on child labor in Victoria.

The Segregation of the Unemployable

The effect of the payment of a minimum wage upon the regularity and certainty of employment has already been considered. We have seen that workers in various industries at first were thrown out of work to some extent, but that ultimately labor as a whole readjusted itself to the new conditions. It is therefore quite natural that evidence for or against the minimum wage as a test of employability is not strongly convincing. But it is a patent fact that in so far as work has been reduced, the cry of distress has come from the less competent members of the community. The comment of the Royal Commission of Victoria in

¹ Victorian Year Book, 1912-B, p. 757.

² Report of the Chief Inspector of Factories, 1910, p. 82.

1903 on the hardships of certain classes in the woodworking industry is significant.

"While the award assisted the capable and skilful to better their positions, it gave those less fortunate—the weak, elderly, maimed, or otherwise incompetent, a push down the hill."¹

In the butchers' trade there was formerly a class of men who always received a very small wage but who did all sorts of work and were not really butchers. After the enactment of a determination these men gradually made way for tradesmen who not only gave more satisfaction to their employers, but who received the minimum wage and over.² These examples are typical of what has happened whenever the force of labor has been cut down. Complaints are made not in behalf of able and efficient employees, but for the old, the weak, and the infirm. In a large measure provision has been made for these very classes. In so far as the means adopted have failed to meet the situation, the result has been unfortunate. But is it not best that the burden of inefficiency and weakness should not fall upon the competent and the strong? The evil is at least clearly located and society as a whole must take the responsibility for its misfits and weaklings. It must make provision for those who cannot and should not be self-supporting. As yet Victoria has not clearly faced this problem for the need of the unemployable has not been severely felt. However, she is not unconscious of it, and the many kinds of state provision for certain classes show that she is recognizing the problem that may arise in the future. Her past prosperity has hindered any material segregation of the unemployable, but this is no criterion of what may occur in a time of serious commercial depression.

3. ECONOMIC CHANGES AFFECTING THE EMPLOYER

A. *Efficiency of Labor—The Task System*

It has frequently been contended that labor under a system of state prescribed minimums will tend to lose the stimulus to progressive improvement. And the contrary of this proposition has

¹ Victoria, Royal Commission on the Factories and Shops Law, 1902-3, p. 53.

² Victoria, Report of the Chief Inspector of Factories, 1903, p. 13.

been no less assertively stated by the champions of state action. Whether as many employers in Australia claim, laborers are less efficient than in former years is a mooted question. It is claimed that the trade unions are preaching the doctrines of "go easy" and that accordingly output is being restricted.¹ The officials of the unions vigorously deny this charge. The same charges and countercharges are passed in America and contribute no real information as to the actual conditions. No conclusive information can be given, but it will be worth while to notice some of the aspects of this question.

As Mr. Aves pointed out in his report, "efficiency is apt to be associated with some form of specialization." Undoubtedly this has been the case to a large extent. The master bakers reported in 1908 an improvement in the system but not in the individual. The introduction of machinery and the subdivision of labor has contributed largely to the increased output. Yet none the less, the fact remains that the output has been increased. To an inquiry made of twenty-three representative Victorian employers in 1908, about half held the opinion that no appreciable effect had resulted from the operation of the special boards. The remainder deemed the board system to have strengthened what was perhaps the normal tendency of the times. But no one ventured to say that the board system had tended to reduce the efficiency of the individual employee.²

Statistics are not available to prove or disprove what influence the special board system has had upon the individual efficiency of employees. Still, it is interesting to notice the conditions in eight representative board trades for which figures can be secured (Table No. 18). This table is not based upon the value of output, but upon the quantities of certain standard articles manufactured.

It will be seen that there has been a general increase in the average output per worker of at least 15 per cent., the lowest variation being 3.7 per cent. in the bacon curing industry.

It should be noted that there has been a falling off in the number of cigars and cigarettes turned out but this is more than

¹ Annals of the American Academy of Political and Social Science, 48:34. See also Appendix III, p. 64 of the Third Report of the New York State Factory Investigating Commission.

² Aves, p. 53.

balanced by the increased manufacture of cut tobaccos. Upon the whole, it will be seen that in these representative trades employing over 16,000 persons, there has been an increase in the output for each individual engaged. Inasmuch as all of these industries are under board determinations, it cannot be claimed that the board system has seriously reduced the productive capacity of the employees.

In considering the general subject of working efficiency it should be remembered that there has been a constant expansion and specialization of manufacturing processes. The value of the total output per unit of population increased from £24.23 in 1907 to £31.62 in 1911.¹ From 1904 to 1912 the value of the total output for the state almost doubled, increasing from £23,126,180 to £45,410,773. Much and probably all of this growth would have taken place had there been no labor legislation. But the important fact to notice is that there has been no retrogression. It is of consequence to contend that mechanical devices have largely brought about the increased efficiency for this is nearly always the case. The important question is whether the legal fixation of wages has caused a speedier adoption of new inventions and better methods than would otherwise have occurred; whether or no the individual employee has become more efficient in the performance of his task. So far the answer to this question seems to be in the affirmative, as the following statement addressed by Mr. Murphy to this Commission tersely indicates:

"To answer your question generally, I think it can be truthfully said that the efficiency of the workers all round is distinctly higher under the minimum wage than it was before."²

Having considered the question of efficiency from the stand point of business in general, it will be pertinent to see if any evil results to the worker are to be associated with the economic operation of wage legislation in this connection. From a study of the composition of the working classes in some of the trades, it is known that the percentage of piece workers has tended to decline in some lines, such as the clothing trade. The question

¹ Official Year Book of the Commonwealth of Australia, No. 6, p. 1154.

² Appendix III, p. 64 of the Third Report of the N. Y. State Factory Investigating Commission.

TABLE No. 18
AVERAGE UNIT OUTPUT PER WORKER IN SELECTED INDUSTRIES

| Industries | IN 1900 | | | IN 1912 | | INCREASE OVER 1900 | | |
|----------------------------|-------------------|-------------------|---------------------|-------------------|-------------------|--------------------|-----------|-------|
| | Number of workers | Total unit output | Average unit output | Number of workers | Total unit output | Average | | |
| | | | | | | unit output | Per cent. | |
| Bricks..... | 1,432 | 85,387,275 No. | 59,628 | 2,149 | 180,724,160 No. | 84,096 | 24,468 | 41.0 |
| Bacon curing..... | 288 | 10,287,778 lbs. | 35,652 | 434 | 16,044,228 lbs. | 36,968 | 1,316 | 3.7 |
| Butter ¹ | 1,400 | 51,348,839 lbs. | 36,677 | 1,443 | 64,399,057 lbs. | 44,628 | 7,951 | 21.6 |
| Flour..... | 733 | 199,739 tons | 231 | 845 | 225,378 tons | 266 | 35 | 15.1 |
| Breweries..... | 1,002 | 16,162,550 gals. | 16,130 | 1,008 | 20,247,337 gals. | 20,086 | 3,956 | 24.5 |
| Tobacco ² | 1,324 | 1,723,030 lbs. | 1,301 | ..... | 5,642,349 lbs. | 3,155 | 1,854 | 142.5 |
| | | 122,595,147 No. | 92,594 | 1,788 | 120,734,351 No. | 61,932 | -30,662 | -33.1 |
| Woolens ³ | 1,231 | 2,567,357 yds. | 2,085 | ..... | 5,618,098 yds. | 3,360 | 1,275 | 61.2 |
| Boots..... | 5,655 | 59,840 pr. | 48 | 1,672 | 280,113 pr. | 167 | 119 | 247.9 |
| | | 3,513,549 pr. | 621 | 6,774 | 5,187,384 pr. | 766 | 145 | 23.3 |

¹ Butter and cheese only.

² Cigars and cigarettes.

³ Blankets, shawls and rugs.

Statistics for 1900, taken from the Victorian Year Book, 1904, pp. 563-572, 587-600.
Statistics for 1912, taken from the Victorian Year Book, 1912-1913, p. 746, 779-793.

at once arises, whether time workers are being pushed unduly by the imposition of heavier tasks. The progressive employer sooner or later learns the efficiency of his labor units, and under the pressure of higher wage standards tends to "speed up" the time worker. At first there were many complaints of this practice, but in 1908 Mr. Aves reported that the minority of employers in certain trades who might be tempted to do this were unable to do so because of the state of the labor market.¹ Prosperity at that time was accompanied by a shortage of female labor. Dressmakers were unable to expand their business because of a lack of experienced workers. The chief examiner for white work done for a large manufacturer said it was a rare occurrence for competent persons to apply for work. That this condition is a large factor in determining the treatment afforded women workers is continuously echoed in the reports of the Factory Department. In 1910 the Chief Inspector states that "the competition among the manufacturers to obtain the services of every available female worker is very keen, it being no unusual thing for one employer to induce females to leave the service of a rival manufacturer, by an offer of higher wages."² The same condition is reported in many of the men's trades such as brass work, brushmaking, furniture, iron-moulding, jewelry, plate glass, printing, tin smithing, water-proof clothing, and wood working. Under these circumstances it is evident that no very serious abuses of the task system are likely to obtain. While there are probably exceptions, there are no pronounced evils in this respect. There has doubtless been a tendency to increase the task exacted, but proof of any excessive pressure due to the board system is lacking. It may be that in the future an overstocked labor market will make the danger of the task system more apparent. In the past new methods of manufacture have largely borne the burden of forced concentration of effort. How far wages may be raised without serious hardship to the individual worker, time will reveal. It is for the wages boards considering commercial conditions and industrial progress to determine with wisdom either a minimum based upon a guiding principle or else upon "what industry will bear."

¹ Aves, p. 52.

² Report of the Chief Inspector of Factories, 1910, p. 5.

B. Cost of Output and Increase in Prices

Closely related to the problem of efficiency is that of cost of output. Cost of output and its relation to market prices for the product determine the amount of profit for the employer, and to some extent the permanent existence and prosperity of industry. To the extent that high wages mean high prices, to that extent labor must lose a part of the benefits it receives. So far as higher wages mean lower profits to the employer, the security and prosperity of industry may be diminished.

Many people hold the view that an increase in wages must necessarily be followed by an increase in the price of the product. The merits of this economic argument are discussed elsewhere. Here our primary concern is to learn in what degree this has been the case.

In the sweated trades the forced rise in wages at first meant an increase in the price of the product. In 1896 mole trousers were made for 6d. a pair, which price was admittedly due to sweating. After a determination went into effect in 1898, they were sold for 9¼d. each. But the average wage of 4,484 employees had been raised 2s. 9d. per week. This meant in the aggregate £32,060 more for the workers in this line of industry. The Factory Department reported the actual increase in the cost of production of shop clothing to have been so slight as to have scarcely affected wholesale prices. As the figures in these cases were supplied by the manufacturers themselves, there is no reason to doubt their veracity.¹

In the boot trade a board determination first raised the wages of every man, woman, boy, and girl employed, an average of 4s. 4d. per week. The prices of boots and shoes were not perceptibly raised, owing in part to the fact that both machinery and the task system were then being introduced into this trade.² But in 1910, following an increase of the wages of adult males from 48s. to 54s. per week by an award by the Commonwealth Arbitration Court, the cost of production was noticeably raised. However, a scarcity of hides and the general dearness of trade accessories was also responsible for this advance.³

¹ Report of the Chief Inspector of Factories, 1898, p. 8.

² Ibid, p. 12.

³ Annals of the American Academy of Political and Social Science, 48:34.

It is hard to estimate the part played by a board in raising prices for it may not be the primary cause of price advances. A doubtful instance was the situation in Melbourne which followed a determination raising the wages of cooks and waiters in hotels and restaurants. The cheap restaurants immediately doubled their price of meals. While the increase in wages was probably in part responsible for the increase in prices, the wage increase was the occasion, rather than the cause of the higher prices. Owing to an increase in the cost of food supplies, a raise in prices was bound to come sooner or later.¹ The fact remains that in several trades where wages have increased, neither cost nor price has been similarly affected, and in some cases they have tended in opposite directions. One leading employer has stated that the wages boards "have made no difference in business and no traceable difference in prices."² In response to a special inquiry made by Mr. Aves, twenty-eight employees and employers said they were unable to mention a case where the board system has induced a higher price as against nine who were either doubtful or contrary in their opinion. But the common testimony from many lines of industry is that while prices have been raised, the increase has scarcely kept pace with the rise in the cost of production.

Comparable figures on production costs are hard to obtain for the period during which the policy of minimums has been in effect. However, the following table indicates in a general way the factors involved in production in different years.

| | 1904 | 1912 |
|---|----------|----------|
| | Per cent | Per cent |
| Wages ³ | 20.7 | 22.2 |
| Fuel and light | 1.6 | 1.5 |
| Materials | 57.8 | 59.5 |
| | 80.1 | 83.2 |
| Articles produced | 100.0 | 100.0 |
| | 19.9 | 16.8 |
| Margin for profits and other expenses | | |

¹ Victoria, Report of the Chief Inspector of Factories, 1910, p. 5.

² Aves, p. 56.

³ The Victorian Year Book, 1904, p. 586, 1912-13, p. 752.

Inasmuch as all of the industries in the state are comprehended in these statistics, it is not possible to point to any definite effects due to the wages boards. It is significant, however, that during eight years the relative amount of wages paid has increased only one and one-half per cent, and that since 1904. The total cost of production has increased but three per cent in this period and the profits accruing to employers have diminished by a like proportion. From these facts we may conclude that while the cost of production has risen, this rise in relation to higher wages in individual industries is very problematical. Although wages have materially increased in certain lines, their effect has been counterbalanced by other factors, such as increased efficiency, and to some degree, higher prices.

We have seen that there has been a slight increase in the cost of production in Victorian industries taken as a whole. We have also seen that prices have in some trades been raised because of determinations, the cost of production thereby being passed on to the consumer. This has been true more especially of purely local industries in which machinery was little used, such as dress-making.¹ In the case of staple products labor legislation has had little effect on prices as was found by the New Zealand Commission on the Cost of Living in 1912. The extra charge of higher wages must then be met by increased efficiency of the productive organization or by a reduction in the proportion of profits. There is reason to believe that both tendencies have been operative to some extent. Viewing both phases of this general problem, cost of production and higher prices as related to higher wages, we must conclude that for Victoria higher wage standards have not necessarily meant higher prices for products. Nor have they necessarily meant lower rewards for capital. The charges due to higher wages have been shifted in part to the general public, in part to the management of business. In either case society as a whole has been the gainer.

C. Stimulus to Invention and Organization

An impetus to productive efficiency has often been ascribed to higher standards of employment. Illustrations in support of this

¹ Victoria, Report of the Chief Inspector of Factories, 1904, p. 21.

contention are to be found in Victoria in several familiar industries. We are informed by the Factory Department that in 1897 there was a large increase in labor saving machinery in anticipation of the determination of the Boot Board.¹ This policy was continued until the industry was practically revolutionized. Immediately after a determination took effect, new machinery was introduced into all the large pastry houses. The same process was followed in other industries such as brass and iron work. New machines able to do the work of four men were installed in the woodworking trade immediately after a higher rate of wages was enacted.² Of course the inevitable result of these changes was increased specialization, a greater subdivision of work, a larger output, and in some cases a smaller labor force.

The size of the business unit is one measure of the degree of industrial organization. When the wages board system went into operation the clothing, shirt, white work, dressmaking, boot, furniture, and bread trades were known to be badly disorganized. Many of them were so owing to a large number of home workers. The bread trade was weakened by the large number of small shops, the number of employees to factories registered being something under the ratio of 2:3 in 1908. The furniture trade was badly complicated by Chinese competition so that from 1896 to 1908 the ratio of employees to registered factories fell from 8 to 4.2. In the boot trade the corresponding ratio increased during the same period from 25.5 to 39. These last figures show that the boot trade is the only one of those mentioned which has strengthened its industrial position.

It would be interesting as well as instructive if a large number of individual trades could be compared at various intervals of time in regard to the size of their business units. This would show the extent to which increasing organization has accompanied the wage boards determinations. As such a comparison is manifestly impossible, the following table for all the industries in the state may serve as a guide.

¹ Victoria, Report of the Chief Inspector of Factories, 1897, p. 9.
² Victoria, Report of the Chief Inspector of Factories, 1902, p. 32.

RELATIVE SIZE OF FACTORIES IN VICTORIA IN 1898 AND 1912 †

| AVERAGE NUMBER OF EMPLOYEES | 1898 | | 1912 | |
|--------------------------------|---------------------|---------------------|---------------------|---------------------|
| | Number factories | Number employees | Number factories | Number employees |
| Under 4 hands..... | *460 | 1,467 | *800 | 1,912 |
| 4 hands..... | 323 | 1,292 | 588 | 2,352 |
| 5-10 hands..... | 1,044 | 7,329 | 1,844 | 12,831 |
| 11-20 hands..... | 491 | 7,168 | 939 | 13,805 |
| 21-50 hands..... | 326 | 10,512 | 674 | 21,298 |
| 51-100 hands..... | 138 | 9,499 | 223 | 15,368 |
| 101 upwards..... | 87 | 17,871 | 195 | 48,542 |
| Total..... | 2,869 | 54,778 | 5,263 | 116,108 |

* Establishments employing on the average four persons or more, or using machinery worked by other than manual power.

† The Victorian Year Book, 1898, 965; 1912, 753.

These comparative figures show that on the whole, industry has tended to organize itself in somewhat larger units. The percentage of workers in factories having upward of 21 hands increased from 69.1 in 1898 to 73.3 in 1912. This is so small a proportion that any assertion that larger business units are due to the action of wages boards is untenable. Whether this has been the case or no is largely a matter of philosophical speculation. That a better organization of industry due to the subdivision of labor has taken place in certain trades is quite true. It is also true that new devices of manufacture have been increasingly used. It is conceivable that a stimulus has been given to a larger unit organization of production through the wages board plan. But sweeping assertions concerning any of these tendencies has no basis in fact.

D. Equalizing Competition

The danger attending the board system in tending to fix standard rates has some compensating advantages as well. In the trades where there is the greatest danger of underpayment, the acceptance of a known and accepted standard of remuneration is of great value. Mr. Aves has pointed out one safeguard against underpayment in having wages fixed for a period. Men then know the rate and it is paid.¹ Again, it is urged that this standard promotes equality as between the employer and the employee by making the competition between them more fair. These facts are

¹ Aves, p. 70.

no doubt of importance, but the greatest argument in justification of a uniform rule is that it puts the honest employer equal with the one who will undercut wages if possible. In the boot trade, the enactment of a determination at once weeded out a large number of unscrupulous manufacturers.¹ In the brushmaking industry many employers were protected against the competition of exploiters of female labor.² Other instances similar to these are mentioned in the discussion of sweating so that a further enumeration of examples is unnecessary.

It should not be forgotten that not only the unprincipled but the incompetent employer as well is put under the ban by the board system. The effect of this is no less beneficial than in the previous case, but it is more frequently stigmatized as oppressive and unfair. Yet there is no more excuse for low wages as a subsidy to the incompetence of an employer, than as a tribute to his greed. Wherever the Victorian employer has been driven from his position, it has usually meant the extermination of an industrial parasite.

It may be interesting in passing to note the general opinion as to the effect of the wages board system upon large and small employers. There are some who believe that the larger establishments are favored, inasmuch as they possess the means to make readjustments more advantageously. It is possible for them to better utilize the services of their highly paid workers and to rearrange their methods of production. But in such trades as the cheaper branches of furniture making, bread baking, and butchering, the small rather than the large producer is apt to be favored for the reason that as he himself works at the trade, he can often thus diminish the relative wage cost of his business. In general, the determinations seem to operate equally on both large and small employers.

OTHER COMPETITION IN THE STATE AND NEIGHBORING STATES

There is another sense in which the common rule as here understood may also be considered, its effect resulting from the fact that there are certain districts and neighboring states not under

¹ Victoria, Report of the Chief Inspector of Factories, 1900, p. 16.

² Ibid, 1902, p. 17.

a wages board determination. This limitation of jurisdiction has subjected manufacturers at times to severe competition from neighboring states. As the Act when first passed applied to cities, towns, and boroughs only, extension to the shires being conditional on the authority of Orders in Council, the metropolitan employer often had to compete with the country producer who paid his labor as he pleased. This was the cause of many complaints, especially in the saddlery trade. Here the Government at first decided not to extend the determination to the whole state. Thus the saddle makers of the towns not only had to meet the competition of South Australia and Tasmania, but of the country districts of their own state as well.¹ A similar protest was made by the pottery makers of Melbourne against the competition of those in the shires where a determination was not in vogue.² The competition of country territory and neighboring states has not therefore been a matter to be lightly disregarded. But on the contrary, it is not to be overlooked that wage determination rates have often been voluntarily paid in country towns. Country employers have often said that they were able to pay the rates paid in the city. Again, employees have informed the Inspectors that they would consider it wrong to work for less than the minimum wage fixed by a special board for their trade.³ It is also to be remembered that South Australia, Western Australia, Queensland, Tasmania, and New South Wales now regulate wages in some way, either by wages boards or arbitration courts. In addition, the Commonwealth Arbitration Court since 1904 has been able to regulate wages throughout Australia whenever the question at issue extends beyond the boundaries of any one state. Within Victoria determinations have been constantly extended to the shires so that complaints of unfair external competition are now becoming comparatively infrequent.

From this somewhat brief consideration of the principle of a uniform minimum rule, what can we conclude? As applied to individual employers, it has served to drive out of business the dishonest and incompetent man. Both honest and dishonest employers are subject to the law. Though this was at first resented

¹ Victoria, Report of the Chief Inspector of Factories, 1905, p. 31.

² Ibid, 1907, p. 48.

³ Victoria, Report of the Chief Inspector of Factories, 1902, p. 14.

by some, it has been seen that the whole question of industrial relationships is involved and that nothing but a thorough going system will meet the situation. So far as the act has been limited in its operation, so far some individual industries have suffered. But no industry has been seriously or permanently injured, and none has been driven from the state. As the principle of wage regulation has been extended to the various parts of the state and to other states, the evil of interstate competition has declined. Employers are now convinced that the minimum wage has not been detrimental to them. They realize that it has forced their rivals to adopt the same scale of wages that they themselves are obliged to pay. Because of this, the common rule has justified itself. It has put a premium upon efficiency in production and efficiency in living.

E. Has Any Industry Been Forced to the Wall?

The general subject of unemployment as caused by the determinations of wages boards has already been discussed. The effect of the same determinations upon the employer, the buyer of labor, is no less important, though it may be more elusive. On the initiation of determinations, especially during the early years of the board system, there were many prophesies made predicting the destruction of business. For a time it seemed that some of these fears might not be far wrong. As has been seen, the outlook in some trades, such as the boot industry, was far from bright.

Experience has proved most of the early predictions to be false, although there are some instances of unfavorable effects on industry. Complaints have repeatedly been made regarding the position of the plate glass trade. In 1903 manufacturers complained that profits were so small that a living could scarcely be made. This was due in the main, however, to the imposition of a tariff duty on raw material and a very low duty on the finished product,¹ which even a brisk trade has but partially overcome. The saddlery industry has been subject to another well known handicap, the competition of neighboring states.² It is now possible to adjust differences under the Commonwealth Act but considerable delay is likely to be involved. Still another factor in conjunction

¹ Victoria, Report of the Chief Inspector of Factories, 1903, p. 22.

² Ibid, 1902, p. 28.

with a wage determination drove many of the small butchers out of business in 1902. The extraordinarily high price of meat in a year of drought proved too much for some employers who were forced to close shop permanently, or to suspend business until better times ensued. Mention may also be made of a cigar manufacturer who moved his factory to Adelaide. One clear cut instance of an employer revolting at a wage determination, is cited by Prof. Hammond. A brush manufacturer from England came to Victoria to establish a business. He was so enraged by the idea of wages regulated by law that he moved his factory to Tasmania. Another brush maker with a belief in female as opposed to male labor moved a part of his works to a neighboring state. But such instances are the exception rather than the rule. The following opinion expressed by the Chief Inspector of Factories in reply to a question asked by the New York State Factory Investigation Commission confirms this statement:

"There is no evidence to show that our labor legislation has driven any industry from the state, nor from Victoria to any other part of the Commonwealth. . . . There has been an increasing amount of imports in the last few years, but I think I can safely say that the evidence tends to the belief that that is caused more by our general prosperity than any other factor."¹

It is evident from what has already been said that employers have seldom been forced to the wall and then under exceptional circumstances not caused by the fixation of wages. What now have been some of the positive facts in regard to this question? As a whole the recent history of Victoria has been marked by a steady growth in manufactures. In 1896, when the Factories Act creating the wages board system was passed, there were in the state 3,370 factories. In 1913 there were 8,089. In 1896 the number of factory workers was 40,814; in 1913 this number had grown to 110,487.² During this same period both the output of the factories and labor's reward have greatly increased. Not only that, but the board system has been constantly extended until it is now applicable to 141 trades affecting nearly 150,000 em-

¹ See Appendix III, p. 63, of the Third Report of the N. Y. State Factory Investigating Commission, 1914.

² According to the Factory Department. Different figures are given by the Government Statistician — see *infra*, p. 692.

ployees engaged in almost every kind of work. The constant extension of the wages board principle, frequently at the request of employers, speaks for itself. In answer to the question, has industry been driven from the state, we must reply that it has not. Neither has it been paralyzed, but under the wages board system there has been a steady consistent growth in the forces of production.

4. GENERAL COMMERCIAL PROSPERITY

Commercial prosperity is not necessarily either induced or hindered by a country's legislative policy in regard to capital and labor. But its presence or absence indicates a condition of industry which may contain instructive suggestion to the critics of a State economic policy. The commercial life of Victoria since 1897 has been, with some fluctuations, a history of prosperity. The wage board system as we have seen, came in during a time of depression. Conditions, however, soon righted themselves, and with the adoption of new methods of manufacture came a greater efficiency of production and the expansion of trade into new fields. In 1901 the Factory Department reported that over 9,000 more persons were employed in factories than during the height of the land boom. Since 1894 there was an increased wage fund of over £1,300,000, over £300,000 of which was attributed to the improvement in trade during 1901.¹ During this time some businesses changed hands and others were closed, but it is emphatically stated that neither is due to the operation of the wages boards system.² Trade conditions in general were fair through 1903, a drought causing a falling off in some lines of industry. In 1904 there was a decided improvement which was still evident in 1906, owing partly to the good harvest of the previous year. During that year business was reported as progressive in the iron and engineering trades, saw mills, bedsteads, and woolen and textile goods. The fellmongering and tanning trades were dull because of the competition of foreign buyers.³ In 1908 there was a decline which was particularly evident in the boot trade, other lines being somewhat under normal.⁴ Conditions then slowly improved until

¹ Victoria, Report of the Chief Inspector of Factories, 1901, p. 6.

² Ibid, p. 27.

³ Ibid, 1906, p. 4-5.

⁴ Report of the Chief Inspector of Factories, 1908, p. 4.

in 1910, business was very prosperous. Among the industries reported as especially buoyant were artificial manure, agricultural implements, clothing, furniture, carriages, ironmoulding, brewing, confectionery, and printing.¹ This state of activity continued throughout 1911 and during the first nine months of 1912. During the last three months of the year a slight decline was noticeable in some trades.² This decline was not checked and during the greater part of 1913 many trades were quite dull. This was true especially in the saddlery, rubber, and wicker work industries, which were said to suffer because of the increased imports of these goods. A strike in the coal yards is alleged to have caused some unemployment in brick and tile-making, owing to a shortage of coal. Dissatisfaction with recent awards made by the Court of Industrial Appeals have been responsible for a part of this apparent industrial unrest. During July and August several meetings of the unemployed were held in Melbourne and deputations waited upon the Ministers of various Commonwealth and State departments. Appeals were made by public bodies and officials to find work for the jobless.³ But this condition seems to have been temporary, due mainly to the general slackness common in winter months. The construction of suburban railways is now absorbing the available supply of unskilled labor. Most of the industrial branches are busy according to the most recent reports.⁴ The conclusion of this history of Victorian industry is not, therefore, altogether gloomy.

This review of the story of Victorian manufactures reveals both ups and downs. Now business has been excellent. Again it has been dull. Some trades have been influenced by special causes and have been dull for a term of years, while other trades have been prosperous. And the reverse has sometimes been true. Through all this shifting history one fact stands out clearly, the wages boards are not held responsible for the periods of trade depression, nor for the times of business prosperity. Their sphere has constantly been extended in season and out of season. They

¹ Report of the Chief Inspector of Factories, 1910, p. 7.

² Ibid, 1912, p. 5.

³ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 3 p. 223.

⁴ Ibid, Labour Bulletin, No. 5, p. 71.

have no doubt been a factor, but only one of the many factors in the industrial development of the state.

Turning now to some of the larger outstanding facts of the period under consideration, it will be seen that progress and not decline has been its chief characteristic. The number of registered factories has trebled since 1894. In that year there were something over 34,000 factory workers. In 1913 the number had increased more than threefold. A glance at the accompanying table will show the steady extension of manufacturing industry.

FROM THE REPORT OF THE CHIEF INSPECTOR OF FACTORIES OF
VICTORIA, 1913, p. 5

| Year Registered. | No. of Factories. | No. of Employees |
|------------------|----------------------|---------------------|
| 1894..... | 2,515 | 34,268 |
| 1895..... | 2,573 | 36,027 |
| 1896..... | 3,370 | 40,814 |
| 1897..... | 3,739 | 45,178 |
| 1898..... | 3,777 | 45,844 |
| 1899..... | 3,895 | 49,546 |
| 1900..... | 4,050 | 52,898 |
| 1901..... | 4,238 | 56,945 |
| 1902..... | 4,252 | 59,440 |
| 1903..... | 4,325 | 57,767 |
| 1904..... | 4,436 | 60,977 |
| 1905..... | 4,623 | 63,270 |
| 1906..... | 4,766 | 67,545 |
| 1907..... | 5,003 | 71,968 |
| 1908..... | 5,143 | 76,210 |
| 1909..... | 5,248 | 79,348 |
| 1910..... | 5,362 | 83,053 |
| 1911..... | 5,638 | 88,694 |
| 1912..... | 7,750 | 104,746 |
| 1913..... | 8,089 | 110,487 |

Since 1896 wages have risen from 12 to 35 per cent. The hours of labor have been reduced, the working week now generally consisting of forty-eight hours. In 1900 the value of the total out-

put of the factories of the state was £19,478,000. In 1912 this value was expressed at £45,410,773. Meanwhile the revenue of Victoria has risen from £6,458,000 in 1896 to £10,009,000. There has been little variation in interest rates, bank depositors being paid from three to four per cent, and discount rates on local bills ranging from four to six per cent. However, bank deposits have grown from £31,217,000 to £47,258,000 during this period, and Victoria has a greater number of depositors in proportion to her population than any other state in the Commonwealth. State railway receipts have increased from £2,400,000 to over £5,233,000. The inhabitants of the state now number more than 1,375,000, and there are over 11,000 marriages per year as contrasted with 7,625 in 1896.¹ These facts all point to the conclusion that commercially and otherwise the state has highly prospered. Whatever explanation is offered for this era of progress, it cannot be said that minimum wage legislation has arrested the development of Victoria.

III. ADMINISTRATION OF THE MINIMUM WAGE ACTS

1. DETERMINATION PRINCIPLES IN PRACTICE

The lack of a clear statutory definition of the legal minimum wage has naturally resulted in a corresponding variety of determinations. One has only to glance at a table of wages rates for males and females in different industries to be convinced of the utter lack of any uniform principles in deciding what a minimum wage shall be. In 1903, the action of the Irvine government in enacting the so-called "Reputable Employers' Clause" was an attempt to get away from this chaotic condition of affairs. This was eagerly grasped at by the Select Committee of South Australia, which in 1904 recommended the adoption of a similar provision. But it was soon found that determinations based upon the average prices or rates of payment paid by reputable employers to employees of average capacity was about as impracticable a principle for actual application as could well be devised. The Agricultural Implements Board, after attempting for some months to arrive at a determination, finally adjourned *sine die*

¹ Statistics from the Victorian Year Book, 1912-13, p. 795ff.

at the suggestion of the Minister of Labor to await the repeal of the obstructing clause by Parliament.¹ Akin to this was the situation in the Starch Board in 1906. Here it was found that the average rates then being paid in the trade did not permit the fixing of what a majority of the board considered a fair wage. Accordingly a resolution to this effect was forwarded to the Minister of Labor and the case was sent to the Court of Industrial Appeals, which by force of the resolution was freed from the limitations of this section. The court thereupon made a determination which became operative in June, 1907.² Very similar was the experience of the Cycle Board. It hesitated long to make a determination because of this obnoxious clause. Finally, deciding that a low minimum rate was better than none at all, a schedule was enacted which came into force in September, 1907.³

From such instances as these it became evident that the clause in question was a hindrance rather than a help in making a working determination. Not only was the definition of a "reputable employer" in doubt, but also "average wages" and "average employees." The embarrassment in calling an employer sitting on a board, "disreputable," was also involved, as the Chief Inspector pointed out in 1906.⁴ Even Mr. W. H. Irvine, the author and ardent defender of the clause, admitted that: "'Reputable employer' has usually been construed best employer. The principles mentioned are necessarily of the vaguest kind, but it is better to have some finger posts than none, even though the roads indicated are only tracks through the bush."⁵ Under the pressure of much objection from various sources, Parliament finally repealed the offending section in 1907.

Since this unfortunate experience in searching for standards, the boards of Victoria have definitely adopted no guiding principle. It is true that there is now an enunciation of the "living wage" principle which the Court of Industrial Appeals may consider in making its decisions. But this does not apply to the wages boards. The precedent set by Mr. Justice Higgins of the

¹ Victoria, Report of the Chief Inspector of Factories, 1910, p. 17.

² Report of the Chief Inspector of Factories, 1910, p. 65.

³ Ibid., 1912, p. 146.

⁴ Ibid., 1906, p. 11.

⁵ Aves, p. 167.

Commonwealth Court in fixing the minimum living wage for an unskilled laborer at 7s. per day has undoubtedly been strongly influential, especially with the Court of Industrial Appeals. But the boards themselves have often regarded other considerations as of weightier import than the principle of the living wage. The boards dealing with the gold mines have kept wages below a legitimate level so as not to injure a declining industry.¹ More than one determination has been carried to the Commonwealth tribunal as a result of obvious discrepancies in rates. As the deliberations have resulted in practice, the minimum rates arrived at have been largely due to the facts in the trades involved, to the ability of the representatives of the two contending parties, and to the political and economic complexion of the chairman. Each side has endeavored to get all it can, and the result has been a "going wage." In some instances this has approximated to an average, but absolute uniformity of rating in any occupation is quite the exception, especially in the skilled trades. Skilled workers usually have a higher minimum rate fixed for them than do unskilled laborers. Thus there is a gradation of rates, based to some extent upon trade union principles. In so far as the minimum rate fixed is "what the trade will bear," so far it will tend to become a standard rate. As Mr. Aves has stated, this has sometimes happened.² Combined with the general idea of the living wage as applied by both the boards and the court, is the old discarded notion of average wages for average workers which still seems to have an unconscious influence in the making of minimum rates.

2. THE PERMIT SYSTEM

Inasmuch as the foregoing discussion has been primarily concerned with the industrial life of normal workers, it will now be in order to study the success of the provisions for those less fortunate elements of the laboring class, the old, the infirm, and the slow. We have already noted at some length the general depression of the labor market in the boot trades immediately after the year 1897. In response to the demand for a remedy to meet the needs of the old and infirm worker who was at first thrown

¹ Commonwealth Arbitration Reports, 140.

² Aves, p. 48.

out of employment, the license or permit system was adopted. Piece work determinations also allowed slow workers to earn what their skill would permit. Personal disability of some kind and not the exigencies of business has been the guiding principle of the Chief Inspector in granting permits. As the term of a permit is limited to one year at a special minimum rate, it is subject to constant revision. While trade conditions do not justify the grant of a special rate, they may determine the point at which slowness disqualifies a worker and hence makes a permit necessary. A trade in a high state of activity may absorb all workers at a given rate, and again may be so dull as to force the discharge of many hands unless adjustment is made for the less efficient members. The point at which to grant a special license is therefore one of the difficult problems in the administration of a minimum wage law.

As to the success of the permit system in Victoria, one may give neither praise nor blame. The opinion of Mr. Aves stating that it has worked "fairly well" is about as much as can be said for it at present. In the Amending Bill of 1907 certain boards were given the power to fix special rates, although this is the proper function of the Chief Factory Inspector. Under this provision boards could fix a special rate for ordinary slow workers who might be better handled as a class than as individuals. There is, however, no machinery as yet to meet possible variations in rating, due to the grading of workers in the same trade on the basis of skill and standard output demanded. When the need for a differentiation is urgently felt, changes in the law may be looked for.

It may be interesting to note the operation of the permit system under the Draper's Board. Contrary to the usual practice, this board based its determination upon age instead of trade experience. Immediately there was a request for permits made by young women, ranging in age from 18 to 21 years, who had just begun to work in drapers' shops. The Chief Inspector complied with many such requests, basing his action upon the fact that these women were "slow" owing to lack of experience. A debate took place in Parliament regarding the matter and the Minister ordered that no more licenses be granted on such grounds. The

determination was referred back to the board for amendment. It was amended so as to take into consideration the experience of drapers starting at the business when over twenty years of age. This little bit of history shows the difficulty of enforcing a determination based upon age, and the necessity it entails for the issue of additional permits.¹ While age has been of large importance in fixing some of the minimum rates for a few other trades, experience is now recognized as the real determining factor.

The statistics as to the licenses issued are rather fragmentary, but available figures show that the number granted has steadily increased. During the first months of 1900 the Chief Inspector reported that he had issued 60. In 1902, 227 were granted. On October 2, 1907, 483 were in force according to Mr. Aves.² Only 55 of these permits were held by women, this being .04 per cent of the total number of females in the regulated trades. As would naturally be expected, the holders of permits are in the main past middle life. Forty-five per cent of these workers were over fifty years of age and only 21 per cent were held by those under twenty-six. The great majority of licenses were issued for periods of from three to six months each. This policy, though the law allows greater freedom, gives the Chief Inspector a better opportunity of checking up the status of each individual. That this has been done with discretion there is no valid reason to doubt. Although the system has been criticized as not being sufficiently elastic, this would seem to be a matter of administration rather than of legal enactment. When an attempt is made to learn definitely of old and infirm workers losing their positions because of its defective operation, evidence is singularly lacking. It is doubtless true that legislation which fixes a minimum wage has the effect of displacing the unfit, but such dislocation in Victoria has not been serious, owing in part to the shortage of labor.³ The following recent statement made by the Chief Inspector concerning the operation of the permit system in this state is significant:

¹ Report of the Chief Inspector of Factories, 1900, p. 39.

² Aves, p. 62.

See also, Robert Boehringer, *Die Lohnämter in Victoria*, p. 164.

³ See Appendix III, p. 63 of the Third Report of the N. Y. State Factory Investigating Commission. Also the Report of the Chief Inspector of Factories of Victoria, 1905, p. 8.

"The complaint regarding the displacement of old, infirm, and slow workers has practically ceased. The permit system is a difficult one to work. The workers in a trade are always extremely jealous of the issue of permits to work at less than the minimum wage, but by consulting the officers of the Unions in difficult cases, and by carefully refraining from issuing a permit except in cases where it is clearly necessary to do so, the system may be said to work very smoothly and satisfactorily within its own limitations. It should be mentioned that the Old Age Pension system in vogue here, under which 10s. per week is usually paid, has the effect of smoothing the working of this system very materially."¹

In concluding our discussion of the permit system, there is little to be added. At present it seems to be meeting the needs of the classes it was designed to meet. If it were more elastic it would undoubtedly be of greater value, but administration might prove more difficult. Future changes will be determined by the economic future. When a period of trade depression comes, radical changes may be necessary. The ultimate test will be that of time.

3. APPRENTICES AND INDUSTRIAL EDUCATION

One of the most vexing problems in the administration of the wages board act has been that of industrial education. This question has been complicated by the introduction of machinery and the subdivision of labor. While it is not due to the wages boards system, it is one of the questions which must be solved and in the solution of which but little headway has been made.

Reference to the preceding discussion will reveal the many changes which the legal provisions for apprentices and improvers have undergone.² Under the Act of 1900 apprentices were defined as those under twenty-one years of age bound by an indenture signed by parent or guardian. Improvers were those over that age who held licenses issued by the Minister of Labor. Rates of wages were based upon the number of years of trade experience the person possessed, the rate being higher for each succeeding year. Under this general scheme of apprenticeship, it was made less easy for firms to keep boys and girls in their employ as im-

¹ From a written statement to the writer, March, 1914.

² *Supra*, p. 634.

provers, year after year regardless of whether they "improved or not." In 1902, 254 improvers' licenses had been issued and it was the opinion of the Chief Factory Inspector that the evil of young people aimlessly trying one occupation after another was being reduced.¹ In several trades, dress-making for instance, it seems that learners have been made more ambitious and progressive by this rule.²

The early experience in regard to apprentices is instructive. It was found that when some employers desired to pay a girl at a lower rate, they simply made out an agreement binding her to work for so many years at a certain rate and sent it home with her for her parents to sign. This was accompanied by the threat that they could not employ her otherwise. Under this agreement the employer was not bound to teach the girl anything and could keep her at inferior portions of work the whole time.³ This practice has been particularly prevalent in the clothing trade. It was repeatedly condemned by the witnesses before the Royal Commission of Victoria in 1902, who stated that large numbers of young women were thrown out of employment after six years of apprenticeship.⁴ Similar complaints were made so late as 1909, one manufacturer suggesting that there should be some competent tribunal before whom all apprentices should have to appear for examination on the expiration of their indentures.⁵

On the other hand, many firms have not taken apprentices at all, frankly stating that they allow some one else to teach beginners. At the same time they have complained of the scarcity of skilled workers. These they obtain by enticing apprentices near the end of their term away from some other firm. This practice has been quite common in the ready made clothing trade. It is very unjust to the employer who has been to the trouble and expense of training a worker to have her leave for a few shillings more per week just when he is expecting some return. Some effort was made to bring action for breach of agreement, but it was found to be very unsatisfactory to have an employee working against

¹ Victoria, Report of the Chief Inspector of Factories, 1902, p. 13.

² Victoria, Report of the Chief Inspector of Factories, 1905, p. 19.

³ *Ibid*, 1901, p. 18.

⁴ Royal Commission on the Factories and Shops Law of Victoria, 1903, Minutes of Evidence, p. 96.

⁵ Report of the Chief Inspector of Factories, 1909, p. 35.

her will.¹ Accordingly the vacancy has usually been filled by another apprentice.

The Royal Commission on the Factories and Shops Act in 1903 considered this feature of the apprenticeship problem at some length. It was found that the system of indentured apprenticeship had largely fallen into disuse. Many employers disliked it because of a preference for the more elastic system of improvers, over whom they had more control. Several of them testified that they would never take another apprentice into their service. At the same time the need for skilled labor was urgently felt. As a remedy for this situation the Commission recommended that apprenticeship be made compulsory and that systematic training be given in trade classes in a properly equipped technical school. These classes were to be given in the Working Men's College and the country technical schools.²

The response to these recommendations was not encouraging, but partly because of the scarcity of skilled labor, the power to fix the proportion of apprentices in any trade was taken away from the wages boards in 1903. Considerable difficulty had been experienced by the Butchers' Board and some others in fixing the proportion of apprentices, which doubtless had something to do with it. This letting down of the bars allowed manufacturers to employ an unlimited number of apprentices, provided they instructed them in the trade and bound them by indentures for three years. As a result, few apprentices were indentured in most trades, although the provision was taken advantage of by the clothing manufacturers.³ The statistics showing the proportion of apprentices in various trades in 1902 and 1906 are by no means conclusive on this point. Although in many trades there was an increase in the relative number of apprentices and improvers, there was a corresponding decrease in others.⁴ Thus, the recommendations of the Commission went for naught so far as any effective action was concerned.

The demand for skilled labor, however, did not become less urgent. In November, 1906, an Apprenticeship Conference was

¹ Victoria, Report of the Chief Inspector of Factories, 1907, p. 4.

² Royal Commission on the Factories and Shops Law, 1903, p. 68.

³ Victoria, Report of the Chief Inspector of Factories, 1904, p. 23.

⁴ Aves, 1908, pp. 38-40.

appointed which reported in July, 1907. It represented the Chamber of Manufacturers and the Trades Hall Council. After taking evidence from the leaders in many trades who deplored the lack of systematic supervision of learners in the trades and the chaotic state of industrial education, it arrived at the conclusion that "the progress of industry in this State is seriously threatened by the defective system of industrial training." It recommended the appointment of a permanent Apprenticeship Commission to which the power of regulating the proportion of apprentices to adults in any trade should be delegated. It was hoped that such a Commission led by educational experts would limit the number of apprentices and be able to make more satisfactory arrangements than the special boards had made prior to 1903. Rates of wages were also to be fixed for apprentices by this Commission, and special committees were to be appointed for particular trades.¹ After making these findings and demanding action this body passed into history as many others have done.

During this period the special boards still retained the power of fixing the wages of apprentices and improvers as well as the proportion of improvers to be employed. In the dressmaking trade, the number of improvers allowed was very liberal, seven improvers to each person receiving the minimum wage. Not anything approaching that number was employed, and some firms which could have hired improvers to the detriment of adult workers did not do so.² Complaints were made, however, that the wages fixed for apprentices were not graded accurately according to experience. Such complaints were naturally to be expected and have largely been satisfied by experiment and adjustment. Nothing was done, however, toward regulating the number of apprentices until 1910 when the special boards were again given the power withdrawn from them in 1903, with a proviso that at least one apprentice should be allowed for every three minimum wage workers engaged in the trade. Power was given the special boards to prescribe the forms to be used for indentures of apprenticeship in any given trade. A simple form of indenture commonly used for the sake of uniformity has been found to work advantageously for both employer and employee. By this

¹ Aves, 1908, p. 59.

² Victoria, Report of the Chief Inspector of Factories, 1904, p. 21.

indenture the employer promises to teach the apprentice in all things relating to the process or business. Wage rates may be fixed in the indenture which shall take precedence over any similar rates established by a special board. The Minister has been empowered to take action against any employer or apprentice for breach of the indenture. Thus an attempt has been made to amend some of the defects most commonly complained of regarding apprenticeship.

When the problem of industrial education is considered in its entirety, it is evident that Victoria has by no means solved the problem. Apprenticeship has not been made compulsory in spite of all the recommendations adopted. No adequate provision for industrial classes has been made, although the need for it is manifest. On the other hand an effort has been put forth to prevent juvenile labor being exploited by grasping employers under the cover of indentures. Likewise it has been made more difficult for an apprentice to desert the employer who has been to the expense of training him. Standards are being slowly worked out as to wage payments and the relative number of learners. But before the needs of industry and labor are met, a comprehensive and well considered plan of industrial education must be adopted and carried out.

4. THE COURT OF INDUSTRIAL APPEALS AND TRADE RELATIONS

The Court of Industrial Appeals established in 1903, has for its prime purpose the decision of all appeals against the determination of a special board. In the first case brought before the Court in 1904, Mr. Justice Hood laid down the dictum that an appellant would have to conclusively prove the board decision wrong. Otherwise the appeal would be dismissed and the decision of the wages board affirmed. He also declared that evidence relating to profits should be submitted in writing in order to prevent any injury resulting from their disclosure.¹ Inasmuch as the Court has power to secure all necessary evidence in the way of documents, papers, and witnesses, without regard to the usual solemnities, this rule was both wise and salutary for all interests concerned.

¹ Report of the Chief Inspector of Factories, 1904, p. 10.

Since the date of its creation the Court has heard twelve appeals. In one case the determination was upheld. Ten determinations were reversed or amended. And in one case, the board unable to come to a decision, referred the entire matter to the Court.¹ A review of some of the more important cases will throw some light upon the work of the Court and in its relation to industrial peace.

One of the early well known cases was an appeal by employers in 1907 against the determination of the Bread Board. Mr. Justice Hood after hearing the evidence reduced the wages from £2 14s. to £2 10s. per week. As soon as the employers reduced the wages of union men to the amount of the determination, a strike followed. It was of short duration lasting only from September 29 to October 2, when the majority of employers concerned granted the demands of the union.² In this case the decision of the wages board was practically sustained against the Court because of the power of the employees. In 1910 on application of the employees, the Court gave the Board power to review or alter its determination. Accordingly the rate for adult workers was fixed at £3 for a week of forty-eight hours.³ These wages were unanimously agreed to. This is in decided contrast to the earlier contest, an interesting commentary on the necessity of mutual acquiescence to a uniform opinion as a condition for a successful working determination.

The history of the Fellmongers' Board is worth noticing because of the many complications arising during its intermittent existence. In March, 1901, members were elected to this board by both employers and employees. When a resolution was carried fixing the working hours of the trade at forty-eight per week, the employers resigned in a huff without waiting to see what the real effect of this would be in conjunction with the fixation of wages. Nothing would induce them to come back on the board and no other representatives of the trade would come forward to take their places. Therefore the Governor in Council appointed five persons to fill the vacancies and a determination was made which

¹ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 66.

² Victoria, Report of the Chief Inspector of Factories, 1907, p. 19.

³ Ibid, 1910, p. 22.

came into force, August 2, 1901. As there was then no Court of Industrial Appeals, the employers at once endeavored to test the legal validity of the determination by an appeal to the Supreme Court. The determination was sustained on all counts but one, the Court deciding that the board did not have jurisdiction to fix the rates for watchmen as it had done. Thereupon a lockout by a majority of the employers followed.

Under the Act of 1902 this board and its determination lapsed out of existence.¹ Provision was, however, made for the election of a new board with a clause providing that any determination made by the same, should be signed by seven members exclusive of the chairman. This board was appointed but did nothing. In 1903 this proviso was repealed and the chairman's deciding vote restored. A determination was then made, coming into effect in 1904. The board made a revision in 1906 reducing the working week from fifty-four to forty-eight hours. The employers at once carried the case to the Court of Industrial Appeals. After an exhaustive hearing, Mr. Justice a'Beckett in June, 1909, sustained the decision of the board. In 1911 the Court on application of the employees, gave the Board power to alter its determination. This was done and a new determination came into effect on November 1, 1912.²

This long story of constant turmoil is without a parallel in the history of wages boards. There was an utter lack of tact and a spirit of conciliation in all of the early negotiations. And yet the final decision of the Court of Industrial Appeals was well observed by both parties. This is in contrast to the decision affecting the determination of the bread board, which was not accepted. But in both instances there was harmony after a period of continual contest and unrest.

In contrast to the stormy history of the two cases just cited is that of the Printers' Determination made in 1906. Substantial increases were made in wages and the master printers immediately appealed the determination. The Court in its finding forthwith dismissed the case and affirmed the decision of the Board. Although some resentment was felt by employers, the rates established were loyally paid³

¹ Victoria, Report of the Chief Inspector of Factories, 1902, p. 36.

² Ibid, 1912, p. 148.

³ Victoria, Report of the Chief Inspector of Factories, 1906, p. 36.

In recent years the number of appealed determinations has increased. In 1912 the Court decided a determination for Commercial Clerks referred by the Minister of Labor. During the same year the Court made a rate schedule for the boiler makers. In 1910, Mr. Justice Hodges amended the determination of the Hairdressers' Board by allowing additional improvers on the petition of employers. In that year he reduced the rates in the ice trade from 1s. 3d. per hour to 1s. an hour.¹ In all of these cases the decisions of the Court were loyally accepted and carried out.

Finally, during the year 1913 there was considerable controversy over the determination of the board in the coal industry. It was appealed and after a decision had been rendered by the Court, the employees refused to work under the wages and conditions it prescribed. A strike ensued which lasted four weeks. The men ultimately returned to work on condition that a new wages board would be appointed for the coal trade.²

This review of contested determinations brings out some salient features. Almost all of the appeals were brought by employers with the exception of two which were referred by the Minister of Labor. In one case the decision of the special board was distinctly affirmed, but in all of the others the Court either modified or reversed the determination. With what various receptions the decisions of the Court have met with, we have already seen. While several of them were loyally observed, others were not. That strikes have occurred is not to be wondered at for there is no law against strikes as in New Zealand. But in all the history of the wages board system, scarcely more than ten strikes have been declared against a determination. In 1906 there was a successful strike to raise the wages fixed by the Stonecutters' Board.³ The Fellmongers Board is an instance of abnormal difficulty for a time. The most serious strike was that against the determination of the Court in the bread trade. That might not have happened had not the men been paid the higher rates before the decision of the Court reduced them. On the whole,

¹ Report of the Chief Inspector of Factories, 1912, p. 150.

² Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 3, 1913.

³ Victoria, Report of the Chief Inspector of Factories, 1906, p. 39.

strikes against the determinations of either special boards or the Court have been comparatively few.

It should not be inferred from what has been said that strikes throughout all the trades in Victoria have been as infrequent as this. Many disputes have occurred in some trades not under the board system, such as the builders' strike in 1906. During the second quarter of 1913, there were five disputes in Victoria involving 1,977 workers and causing an estimated loss of wages of £4,639.¹ Ten new disputes occurred during the third quarter with an estimated loss in wages of over £14,000.² In two instances wage determinations were the bone of contention in these recent difficulties. But taking industry as a whole for a period of several years, by far the greater number of strikes have taken place in unregulated trades.

From the previous discussion we may conclude that the Court of Industrial Appeals has been at least reasonably successful in performing its function. As an integral part of the wages board system, it has tried to meet the duties thrust upon it. Yet the experience with the small number of appeals carried to the Court, has not in the opinion of the Victorian people, demonstrated the wisdom of having such a tribunal in continuous existence. Mention has already been made of the trouble in the coal industry. During the latter part of 1913 several determinations were upset on appeal to the Court. In the building trades a general stoppage of work was narrowly averted by the Minister of Labor suspending a determination. At the instance of the Master Builders' Association, a decision was given by the Court of Industrial Appeals which varied the rates previously fixed and increased the working hours from forty-four to forty-eight per week. The Builders' Labourers' Union paid no attention to the decision of the Court, but resolved to continue work only at the previous wage board rates. The President of the Federal Arbitration Court was then called in and it was agreed that the determination of the Court of Industrial Appeals should be suspended for six months, pending a decision by the Federal Court. In the meantime both parties were left free to make their own terms.

¹ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 2, p. 119.

² Ibid, No. 3, p. 189.

Because of the general discontent and the feeling of certain unions that the Court had nullified the work of the special boards, a bill was introduced in the State Parliament to abolish the Court of Industrial Appeals as then constituted, and to substitute a Court as occasion required consisting of three board chairmen. The outcome of this proposal was the present law, which was passed in November, 1914. A court is now to be constituted only when there is a definite appeal from the determination of a wages board. Although a judge of the Supreme Court is to be the dominating member of these tribunals, the representation of the employers and the employees upon the bench may introduce a greater element of compromise, and hence tend to prevent appeals from board decisions. Because of the small number of appeals which have hitherto been made, there is no reason to believe that the contemplated Courts should not adequately perform the function of a tribunal of last resort.

5. TRADE UNIONS AND THE SPECIAL BOARDS

The place of unions, either of employees or employers, is a matter closely related to any consideration of a wages board scheme. Does it, or does it not, make for a better condition of industrial organization?

The remark has often been made that employers do not trust each other. Be that as it may, there are two bodies representing their interests, the Chamber of Manufactures, an organization devoted to protection, and the Victorian Employers' Association. The employees have their unions and the Trades Hall Council with which most of the unions are affiliated. It is with the organization of the latter class that we are here chiefly concerned.

The function of a trade union under the wage board system is in a measure to provide the machinery for organizing a board. Mr. Aves estimated that something less than 80 per cent of board members were also members of trades unions.¹ When nominations of employers have been contested, the union has very often been successful in securing the appointment of its members. The election of the Agricultural Implements Board is a direct illustration of this. The lowest of the five union candidates nominated

¹ Aves, p. 58.

by a mass meeting received 612 votes as against a maximum of 221 polled by the opposite party. Now and then an active propaganda is carried on to organize workers for this purpose. Leaflets are distributed and people are induced to assemble at mass meetings to receive reports from wage board delegates.

The unions also play a part in the general enforcement of the Act. Infractions of the law are reported to the Factory Department, a great help in detecting evasions. Many instances of such aid may be found in the reports of the Chief Factory Inspector.

In other ways the trades unions are useful factors in promoting the success of the system. The Carters and Drivers' Union labored earnestly to amend the law so as to bring the trade under a determination. But this same zeal of the organization may also militate against the success of the boards. Thus, the union led the strike in the bread trade. The unions are responsible for much of the recent dissatisfaction with the Court of Industrial Appeals. While their protest may be fair and reasonable, employees, when in possession of power, are as apt to misuse it occasionally as employers.

Finally, what has been the effect of the special board plan upon the strength of the trades unions.² In 1908, Mr. Aves asserted that the ultimate effect upon trade unionism of the assumption of official responsibility for matters which under a voluntary system would be left to the trade union itself, must be to weaken these bodies, since it weakens the motives for their formation and development.¹ Yet it is to be observed that in reply to a questionnaire sent out by this writer, fourteen employees believed the unions to have been strengthened, while eight thought otherwise. Mr. Aves was himself of the opinion that the trade union movement was increasing in strength in 1907.² In the course of his investigations he found that among the regulated trades, the bootmakers were most strongly organized, having a union membership of about 1,500. The bakers had 400, the printers 900, the furniture trade 600, and the woodworkers nearly 1,000 members.² Although there is no series of directly comparable figures for a long series of years, we know that in 1912

¹ Aves, p. 58.

² Ibid, p. 57.

there were in Victoria 151 separate unions with 241 branches and 116,557 members. In that year 43.98 per cent of the total number of male employees over twenty years of age belonged to unions. The corresponding figure for females was 8.92 per cent. But inasmuch as union members are recruited mainly from the factories and the mines, and as there are only about 125,000 persons there employed, it is evident that unionism is strongly entrenched in those industries where it is usually strongest. The following table shows the number of union members in some of the principal trades in 1912.¹

| Trades. | No. of Members |
|----------------------------------|----------------|
| 1. Wood, furniture | 4,462 |
| 2. Engineering, metal works..... | 9,169 |
| 3. Foods, drink, tobacco..... | 8,771 |
| 4. Clothing, hats, boots | 7,728 |
| 5. Books, printing | 3,166 |
| 6. Other manufacturing | 7,756 |
| 7. Building | 8,185 |

As most of the trades here listed are under board determinations, it is evident that bearing in mind the figures given by Mr. Aves, there has been a material growth in unionism since 1908. This assertion is strengthened by the fact that in the Commonwealth the number of union members has increased from 55,066 in 1896 to over 433,000 in 1912.² In two of the states, New South Wales and Western Australia, Labor governments are now in power. In Victoria, the Labor party largely supported by trade unionists is an important element in the State Legislature. From these facts we must conclude that the labor unions are not declining in importance. It is probably true that unionism in Victoria has not made such rapid strides as in some of the other states of Australia. A system of industrial arbitration dependent upon trade unions for its administration, undoubtedly stimulates organization as no system of wages boards can do. But there is no evidence to show that the wages boards have tended to destroy unionism in this state.

¹ Commonwealth Bureau of Census and Statistics, Labour and Industrial Branch, Report No. 2, p. 9-12.

² Ibid, p. 13.

6. ENFORCEMENT OF THE LAW—EVASIONS

As the standards of remuneration and working conditions have been steadily raised under the influence of the special boards, the enforcement of those standards has risen into greater significance. The problem was naturally most acute during the early years of the experiment. Gradually the greatest difficulties have been overcome until now the administration of the Acts is comparatively a simple matter. As the main features of administration are discussed elsewhere, only certain phases of the enforcement policy will be noted here.

The Royal Commission of Victoria reported in 1903 that there had been increases of wages in the bread trade of from 40 to 100 per cent. Although not so badly sweated as other trades, there had undoubtedly been a great deal of underpayment in connection with long hours in this trade. Many witnesses stated that collusion between employer and workman to evade the determination as to wages was of common occurrence. One Melbourne employer said that out of sixteen shops in a certain suburb, he did not believe there were three which paid the minimum rate. Statements of Melbourne employees were more guarded but to the same effect. Witnesses on both sides even went so far as to advocate the fixing of the price of bread by the State.¹ These assertions probably had considerable foundation in truth, but are somewhat at variance with the opinion of the Chief Factory Inspector, who found it very difficult to secure evidence in confirmation of such reports. He regarded as impracticable the idea prevailing in some quarters that expert inspectors should be appointed to watch and question the men alleged to be working for less than a minimum wage. In this he would seem to be right for no expert can compel a man to tell the truth, the only thing necessary to enable him to secure his full wages.² Later reports of the Factory Department indicate that the practice of evasion practically ceased, after the employers and their employees become accustomed to the new order. In some districts the working time has been kept by both parties at the suggestion of the inspector in charge. This has pre-

¹ Victoria, Report of the Royal Commission on the Factories and Shops Acts, 1902-3, p. 45.

² Victoria, Report of the Chief Inspector of Factories, 1899, p. 7.

vented misunderstandings and conduced to good feeling all around.¹

Sufficient reference has already been made to the boot trade so as to make any extended discussion of it superfluous. Here evasion was quite common at first, men signing for less than the minimum wage who doubtless were earning more. Prosecutions for these breaches were successfully undertaken but it was very difficult to get evidence. One man on being asked to sign a statutory declaration as to his wages replied: "Mr. Ord, I'll declare anything you like."² Such instances as these were due to the dominant fear in the minds of the men that they would be thrown out of employment. As the business footing of the trade became more secure, this cause of evasion eventually disappeared.

Another evasive device early employed in the boot trades was that of the employer fixing a low piece work scale, under the rates fixed by the board. This is his privilege under the law, subject to the ultimate sanction of the board. Prosecution of offending employers is difficult, but was very effectual in checking this evil. At the present time no trouble is being experienced in this industry on the score of evasion.

In the underclothing trade the board also allowed manufacturers to fix their own piece rates and with the same initial results as in the boot trade. The board did not attempt to fix piece rates because of the great diversity of styles and patterns to be considered. Consequently the temptation to employers to cut piece rates was strong. In 1900 the Chief Factory Inspector reported:

"The most that can be said in favor of this system of fixing piece-work rates is, that it is better than nothing, and enables the Department to interfere when competition cuts the prices so low that even a skilled worker cannot earn the 4d. per hour fixed by the Determination."³

It was also found that a number of articles were made in these factories which came under no determination whatsoever. This condition was relieved by the creation of the Dressmakers' Board which took over a section of the trade. By continual education,

¹ Report of the Chief Inspector of Factories, 1906, p. 17.

² Ibid, 1898, p. 13.

³ Victoria, Report of the Chief Inspector of Factories, 1900, p. 23.

vigilance, and co-operation, evasion in this industry has now become quite rare. This determination has now been working very satisfactorily for several years.¹

The rulings made by the Butchers' Board have been well complied with in general. Occasional complaints have been made of illegal wage payments, but close questioning of employees has failed to substantiate them. It is true, however, that for a time several employers persisted in deducting board and lodging from the weekly wage of their employees.² Similar to the experience of the butchers has been that of the pastry cooks. There were a few complaints at first but on the whole the determination has been well carried out.³ Other classes might be mentioned which show a progressive record of improvement and law abidingness, such as the dressmakers, flour-millers, farriers, and clothing workers, but the trades here considered illustrate the general trend of law enforcement.

CHINESE COMPETITION

The problem of administering the minimum wage law in the Chinese furniture trade deserves special consideration because of the peculiar racial element involved. In the year 1800 there were only sixty-six Chinese carpenters and cabinet-makers working in Sandow. Many of them employed European labor, thereby becoming thoroughly instructed in the handicraft of the trade. Though they have never displayed much ability in design, they are good imitators and copy with the utmost care the European models of furniture. Some of these goods have been of a fairly good quality, but the bulk of it is cheap and trashy, just attractive enough to catch the eye of the ordinary bargain driver. The larger firms employ from ten to thirty hands each, and confine themselves to the manufacture of one or two articles which they find the most profitable. One firm may make sideboards and chests of drawers, another cheap bedroom suites or toilet tables. Others may make kitchen tables, dressers, or meat safes. The smaller makers also confine themselves to a single line. To get material to work on, they search the refuse of timber yards and buy at the

¹ Report of the Chief Inspector of Factories, 1907, p. 56.

² Ibid, 1903, p. 14.

³ Ibid, 1908, p. 47.

lowest rates the worm eaten or defective timber which an European cabinet-maker would not touch. This is cheaply glued and varnished together and hurried off to a warehouse or auction room. Many of these workers live in small cottages in the lower quarters of the city, often in the haunts of vice. They live a miserable, hand to mouth existence, barely eking out a living. Irregular pay, irregular life, aptly describes them as a class.¹

Excessively low wages was a natural accompaniment of such conditions. The larger factories carry out the determinations with a fair degree of honesty because under strict supervision. But the smaller makers can with difficulty be induced to honestly report wages or hours. Their duplicity is astonishing. They can easily understand anything in their favor, but to the contrary the usual reply, "Me no savee," contains a world of meaning.² It was thought that if some one who understood the Chinese language were appointed as an inspector he could obtain information as to the real rates paid. This was done, but the inspector was informed as before that all employees secured the minimum wage, despite the fact that there was evidence to the contrary.³ Another suggestion offered was that the police be allowed to participate in the fines for breaches. This was apparently not acted upon, but enough has been said to show that dishonesty, persistently and adroitly practiced, is hard to get around.

The buyers of Chinese-made furniture in the main are those in the country districts and the small dealers in suburban centres. In order to protect the buyer of these goods, a law as to stamping was enacted. Much trouble has been experienced in enforcing this law. Various devices have been adopted to prevent the obliteration of the stamp by the distributor. It is contended by the dealers that a stamp giving the name and address of the maker has only served to draw trade direct to him and away from the middleman. That there is much truth in this contention cannot be doubted, but the method of stamping has not yet been altered. Late reports indicate the enforcement of the stamping provision

¹ Victoria, Report of the Royal Commission on the Factories and Shops Acts, 1903, p. 51.

² Victoria, Report of the Chief Inspector of Factories, 1900, p. 21.

³ Ibid, 1898, p. 16.

to be fairly successful. Furniture is seldom found unstamped. In so far as this is done, the inspectors are better able to regulate working standards.

Whether or not the Chinaman is becoming of less consequence as a competitor in the furniture trade is shown by the following table:

RELATIVE NUMBER OF EUROPEAN AND CHINESE WORKMEN IN
THE FURNITURE TRADE

| | Europeans | Chinese |
|-----------|-----------|---------|
| 1886..... | 1,022 | 320 |
| 1889..... | 1,241 | 584 |
| 1893..... | 471 | 290 |
| 1899..... | 1,103 | 488 |
| 1900..... | 1,104 | 552 |
| 1901..... | 1,090 | 574 |
| 1902..... | 1,069 | 614 |
| 1903..... | 1,053 | 590 |
| 1904..... | 1,011 | 672 |
| 1905..... | 1,012 | 708 |
| 1906..... | 1,076 | 698 |
| 1907..... | 1,314 | 736 |
| 1908..... | 1,386 | 734 |
| 1909..... | 1,466 | 689 |
| 1910..... | 1,498 | 683 |
| 1911..... | 1,756 | 790 |
| 1912..... | 2,024 | 818 |
| 1913..... | 2,126 | 735 |

It will be seen that the relative position of the Chinese was somewhat stronger in 1913 than in 1886, and reached its highest level in 1905. Since then it has gradually declined, but there was an increase in the absolute number of Chinamen during the last two years preceding 1913. From these figures it would seem that the Chinese worker is fairly holding his own at present.

Judging from the testimony of the Factory Department inspectors and from the relative proportion of Chinese workers now

¹ Statistics from Appendix A of Reports of the Chief Inspector of Factories.

in the furniture trade, a considerable portion of the furniture business goes to the Asiatics. Rumors have been current that a great number of them have returned to China, but the most recent reports indicate little truth in these statements.¹ Some of the Chinese manufacturers have prospered and conduct their business upon a fairly honest plane. But the one-man factories still exist, despite the repeated recommendations of Royal Commissions and of committees for a high license law as a means of taxing them out of existence. These small makers, in spite of a vast improvement in the trade, are still engaged in a keen rivalry, and prices of carving have been cut down to sweating rates. This was especially true in 1909 and 1910. Inasmuch as the European laborer is admittedly a better and quicker workman than the Chinaman, and as the hours of both are usually the same, the only alternative left to lower production cost is to pay lower wages. Yet the statistics furnished by the Chinese employers in 1910 show that in that year they paid their employees an average of 1s. 8d. more per week than the European workers receive.¹ In the light of such facts we cannot conclude that the solution of the Asiatic problem has been reached.

From this consideration of the administrative history of the wages board system in some of its most important aspects, we see that in practically every industry there was more or less trouble in enforcing the determinations at first. In most trades, with the notable exception of Chinese furniture, the difficulties of enforcement have largely been overcome. To prevent violations of the Acts, prosecutions have been resorted to, which have in the main been successful. Since 1902, 71 per cent of the cases prosecuted including a large number of withdrawals, have resulted in convictions. The following table gives this information in concrete form.

| Year | Number of cases | Number of convictions | Number dismissals | Number withdrawn |
|-----------|-----------------|-----------------------|-------------------|------------------|
| 1902..... | 36 | 33 | 2 | 1 |
| 1903..... | 68 | 41 | 11 | 16 |
| 1904..... | 46 | 39 | 2 | 5 |
| 1905..... | 40 | 27 | 8 | 5 |
| 1906..... | 62 | 52 | 6 | 4 |

¹ Report of the Chief Inspector of Factories, 1910, p. 42.

| Year | Number of cases | Number of convictions | Number dismissals | Number withdrawn |
|------------|-----------------|-----------------------|-------------------|------------------|
| 1907..... | 59 | 43 | 5 | 11 |
| 1908..... | 65 | 25 | 38† | 2 |
| 1909..... | 64 | 47 | 7 | 10 |
| 1910..... | 63 | 49 | 8 | 6 |
| 1911..... | 83 | 63‡ | 16 | 4 |
| 1912..... | 146 | 94 | 33 | 19 |
| 1913..... | 166 | 129 | 123 | 14 |
| Total..... | 898 | 642—71% | 159 | 97 |

† Twenty-eight of these cases were dismissed owing to Chinese witnesses when on oath contradicting statements made to inspectors.
‡ One conviction set aside by Supreme Court.

These cases were tried before police magistrates and sometimes before a bench of Justices of the Peace. Comparatively few suits have been carried to the Supreme Court. Mr. Aves has suggested that while there is greater difficulty in securing a conviction from the Justices for union shop offences, there is no choice between the Justices and the magistrates when the prosecution is for paying less than the legal rate of wages.² No analysis of the cases as to cause of prosecution is available, as the practice of setting forth every case was abandoned in 1900. In that year there were sixteen convictions for paying less than the legal rate of wages, and six for employing too many improvers.

Although the table shows an increase of prosecuted cases in recent years with such exceptions as have been indicated, there has been less evasion of determinations in late years than in the past. Inasmuch as evasion is an offence only on the part of the employer, employees feel no positive deterrent influence from accepting illegal wages. Consequently, it is usually the morally weak and the industrially incompetent who are imposed upon. The prosperous condition of industry has probably been a large factor in the reduction of this evil. Education, vigilance, adjustment, and co-operation have been the other factors. But in the event of active collusion, the agents of the law are confessedly helpless.

¹ Statistics from Reports of the Chief Inspector of Factories.
² Aves, p. 45.

IV. CONCLUSION

Created during a period of unusual industrial depression, the Victorian system of wages boards was designed to remedy some of the worst evils of sweating and underpayment. In doing this it has been eminently successful. Although home work still exists to some extent, fair wages are paid and the worker is no longer exploited. This is the first great achievement of wage regulation in this state.

However, the system was not confined to the narrow limits within which it began to operate. It has gradually been extended until now nearly 150,000 workers distributed among almost every conceivable occupation are under its jurisdiction. This extension has not been made because many of these trades have been threatened with starvation wages, but because the board plan is regarded as a satisfactory means of adjusting the problems arising between the employer and the employee. As a result of the operations of the boards, wages have raised, but not to the extent that has often been claimed. The average increase of wages has been greater in the board than in the non board trades, but this may be due to the fact that the former are larger and more important. It is significant that after a determination comes into effect, wages do not apparently increase faster in a board than in a non board trade. Hence the greatest impetus to wages comes during the determination year. But this initial raise is often of vital import, as we have seen in the clothing industries. Not the least in importance, is the indirect effect of board determinations in maintaining the wage scale in nonboard trades higher than it might otherwise be.

The relation of regulation to the employer cannot be described in a single sentence. Suffice it to say that the underpaying and incompetent employer has been put on a level of competition with the honest and able tradesman. Industrial processes have been specialized, sometimes in response to wage determinations, and the effect of higher wages has thereby in part at least, been neutralized. In recent years industrial expansion has been hindered by the shortage of labor, which in 1913 resulted in a joint arrangement with New South Wales to promote immigration.¹ But it is most significant that in spite of the early chaos

¹ *Infra*, p. 2101.

of inter-trade and inter-state competition, industry has held its own and prospered.

In the administrative history of the Victorian plan are illustrated all the defects usually found in such a scheme. The problem of industrial education is still unsolved. The system of apprenticeship has in many ways been a failure, so much so that Mr. Justice Higgins has characterized it as "a farce". Despite the strong influence of the Commonwealth Court and the attitude of the Court of Industrial Appeals, the wages boards do not adhere to any fixed principles in making their determinations. The permit system has been quite successful, but even this has not prevented the unfit in some lines from failing of employment. The Old Age Pension scheme is one phase of a policy which must ultimately involve the care of society's misfits. The enforcement of the law, now upon an efficient basis, has demonstrated that collusion between employer and employee is most difficult to prevent where it is seriously attempted. But it should be noted that the evasion here has been mainly on the part of Chinese workers. The cost of administration has been quite moderate for the amount of work done, being £9,922 for the year 1911-12.¹ Taking everything into consideration, it may be said that the administrative difficulties in Victoria have largely been overcome by the tact and purpose of sympathetic officials.

Finally, while frankly admitting the weaknesses of the system as exemplified in this state, it is a patent fact that neither employers nor employees wish to see the wages boards abolished. Considering the knowledge of Prof. Hammond in regard to the Australian situation, the following opinion is instructive:

"Whatever may be the difference of opinion between employers and employees as to the effect of the legal minimum wage in producing certain results and whatever criticisms they may make of the administration of the Factories Act, both sides are now practically unanimous in saying that they have no desire to return to the old system of unrestricted competition in the purchase of labor."²

¹ See *infra*, p. 2149.

² *Annals of the American Academy of Political and Social Science*, 48:35.

Inasmuch as the Victorian Chamber of Manufactures again and again led the attacks on the board system during its early days, it is significant that in 1912 the president and secretary of that organization and the officers of the Victorian Employers' Association stated that in spite of the defective administration of the wages boards act, their members had no longer any desire to see the system abolished.¹ It is true that some of the trades unionists think they would secure more under a compulsory arbitration system, which may give preference to unionists and decide many minor matters not included in a wages board determination. But whatever their contention, they are opposed to a return to the former state of affairs. Wage regulation has an established place in the social and economic policy of Victoria.

¹ *Annals of the American Academy of Political and Social Science*, 48:35.

CHAPTER II

New Zealand

[1957]

I. NEW ZEALAND AS CONTRASTED TO VICTORIA

1. Geographical Setting and Physical Characteristics.

While often associated with Australia, New Zealand is both industrially and geographically quite distinct from the Commonwealth. With a total area of 103,581 square miles, it is only a little larger than Victoria and is approximately equal in area to the state of Colorado. Lying about fourteen hundred miles east of Australia, it consists of three main divisions known as the North, South, and Stewart Islands, and has an aggregate coast line of over four thousand miles. Besides those mentioned, there are several clusters of smaller islands lying at some distance from the main group. But from an industrial point of view our attention shall be confined largely to the two main islands, the North and South, which contain practically the entire European population. These islands form a long ribbon of land barely separated by a narrow strait. The climate as well as some topographical features rather resemble the Pacific coast of North America. Though mountainous in many parts, there are large plains in both the North and South Islands which give contrast and balance to the general contour of the country and make possible both pastoral and agricultural production.

The population of New Zealand at the end of 1912 numbered 1,052,627 people. It is rather evenly distributed about four main urban centers, Auckland and Wellington in the North Island, and Christchurch and Dunedin in the South Island. These four cities contain all told over 334,000 souls.¹ There are seven towns in the Dominion having a population of 8,000 or over. This condition is markedly different from that obtaining in the Commonwealth, where each state has its preponderating metropolis.

2. Economic Setting.

With such a distribution of the inhabitants, the inference might be made that the chief natural resources of

¹ The New Zealand Official Year Book, 1913.

the country are pastoral and agricultural. Such is the case, although the mineral production is not to be despised. Owing to the large amount of good grazing land, the Dominion has become known for its wool, meat, and dairy produce. There are many flocks of fine sheep, some of which are exported to sheep-rearing countries like the Argentine. The flocks of the North Island increased over 33 per cent between 1903 and 1912, while those of the South Island increased over sixteen per cent. In recent years the breeding of dairy cattle has made considerable progress. The State Department of Agriculture has aided this growth by the establishment of three experimental farms.¹ In agricultural and pastoral products this country clearly excels, but it should be borne in mind that in this the climate is an important factor. The cattle and sheep do not require housing in the winter and seldom does winter feed have to be provided for them. Wheat and oats are important grain crops, although of late years the export of frozen meat has led to the neglect of grain production. Speaking broadly, it can be said that the agricultural and pastoral possibilities of this country are considerable.

Another natural resource is found in the areas of coal and lignite which in 1912 supplied over two million tons, or almost 90 per cent. of the total home consumption. There are also deposits of gold and quartz, the yield having been over £80,000,000 in value up to 1914.² Varnish is secured from the fossil gum of the Kauri pine. A native flax plant grows fibre for export and the timber trade is not to be disregarded. These constitute the principal gifts of nature, which are influential factors in determining industry. The mercantile marine employs a large number of men which adds to the prosperity of the coast towns, although the fisheries are comparatively unimportant. Despite the fact that New Zealand is largely known because of her social and industrial legislation, it is essentially a land of rural industry.

3. INDUSTRY AND THE ARBITRATION SYSTEM

While the industrial productivity of New Zealand is overshadowed from a statistical viewpoint by her agriculture and stock breeding, the remarkable system of arbitration legislation has at-

¹ The Official Year Book of New Zealand, 1913.

² Ibid, 1913, p. 12.

tracted the greater attention of the world to industry. Considering the scope of industrial enterprise represented, this attention is not wholly unwarranted. Factories manufacturing animal and vegetable food, wood works, paper mills, gas and electric supply plants, brick, pottery, and metal works including machine tools are but a few of the types of industry represented. In 1911 the census showed that 56,359 men and women were employed by 4,402 respective firms. The total wage fund was £5,572,270 with an aggregate output valued at almost thirty-two million pounds.¹ There are many industries yet in the early stages of their development, which augurs well for a large future.

In order to understand the arbitration system of New Zealand, it is necessary to note briefly some of the antecedent history. The first factory act was passed in 1873, the Victorian act of the same year being taken as a model. Amending acts followed but not until the depression period of the eighties was passed, was anything distinctive in the method of controlling industrial difficulties developed. During this decade the employer suffered from a contraction of credit, the worker from a lack of employment. Both manufacturer and employee were constantly driven to a more exacting competition. Women were compelled to accept lower and lower wages until it was declared that sweating had secured a hold upon the Colony. Thereupon a newspaper campaign was begun by the Otago Daily Times, a conservative journal at Dunedin, and the Lyttleton Times at Christchurch. The growing public agitation led to the appointment in 1890 of a royal commission to inquire into the state of labor and industry. Though according to Mr. Reeves, "there was not much of the salt of thoroughness in the commission or its report," the stories of petty haggling, underhand dealings, and starvation wages were confirmed. Under the press of competition warehousemen were giving out contracts to small firms and individuals employing a few women and young girls. Yet the majority of the Commission reported that sweating as it was known in London and elsewhere did not exist. With this opinion the minority dissented, both because they wished to give a broader definition to sweating, and because a few instances of sub-contracting were uncovered, show-

¹ Figures from The Official Year Book of New Zealand, 1913, p. 628.

ing that to a limited extent the system in its worst phases was already in operation. Aside from this difference of opinion, the Commission was united in recognizing certain evil tendencies. Fifty pound flour sacks were made for 61 cents a gross, the women furnishing the thread and carrying the goods to and from the factory. Shirt makers by dint of long hours were able to earn three dollars a week. It was evident that some women and children were working intolerable hours to make both ends meet under physical surroundings obviously dangerous to the health of both the makers and the users of the articles produced. No wonder that the minority strongly felt that imperative action was necessary to prevent what might become a great industrial blight. The conclusions of the whole Commission embodied recommendations that a new factory act be passed, granting inspectors larger powers, providing for sanitary work rooms, and limiting the employment of children; that seats for saleswomen be provided; that a bill providing for the indenture of apprentices be passed; that a bureau of labor statistics be established; and lastly, that "steps should be taken to establish at an early date boards of conciliation and arbitration, based upon an equitable representation of labor and capital."¹

Partially as a result of this report, the Factory Act of 1891 was passed by the Ballance Government in which Mr. Seddon and Mr. Pember Reeves held portfolios. This law provides for the registration of factories and defines a factory as any place where two or more persons are engaged, or where there is machinery driven by artificial power for preparing articles for trade or packing goods for transit. The occupier of a factory is counted as one of the two persons required to constitute a factory, except in the case of a husband and wife working together. In this way the smallest workrooms are included under the law, which is one of the most distinctive features of the system. The names and addresses of outworkers together with the quantity of work given to them and their remuneration must be recorded. Clothing made in an unregistered workroom must be ticketed with a label. The other sections of the law are such as may be found in any general factory law. In the same year the employer's liability act of 1882 was

¹ Bulletin of the U. S. Bureau of Labor, No. 49, p. 1172.

amended and a truck act was put upon the statute books. This year marked a turning point in politics, for public opinion was now strongly disposed toward radical legislation. The Progressive party supported by the laboring classes was committed both to labor legislation and land reform.

Indicative as was the inquiry made by the Royal Commission of a new epoch in labor legislation, the significant and determining factor was the great maritime strike of 1890, the only strike of far-reaching effect in which New Zealand has ever engaged. It was preceded by the great docking strike in London of the previous year, which was managed by the English Labor Leader, John Burns. This strike attracted much sympathy in Australasia and assistance was sent by many colonists to the struggling workers in the home country. At this time the maritime trades in both Australia and New Zealand were unionized and had a strong organization. The unions were so able financially, that in a previous strike they had chartered ships to run in competition with the older lines in order to enforce their demands. The strike of 1890 had its origin in Australia and was primarily caused by the resolve of the colonial steamship companies not to tolerate the affiliation of a union of steamship officers with the Trade and Labor Council of Melbourne and the Federated Seamen's Union. The seamen insisted that the right of workers of all classes to ally themselves was a cardinal principle of unionism, and called out their members. For a time New Zealand kept free from the movement, but it finally became involved despite the efforts of the local Maritime Council. The public had little sympathy with the activity of the strikers. An attempt to involve the government railway employees which was overcome by prompt action on the part of the public officials, still further angered the public. Men of every occupation in life offered to move the merchandise congested in the ports, and the result was the utter collapse of the strike in both countries. Unionism was temporarily dazed. The faith of organized labor in strikes as a remedy for their troubles was still further shaken by the shearers' strikes in Australia in 1891 and 1893, and by that of the Broken Hill miners in 1892. The way was now paved for the inception of labor legislation and the Pro-

gressive party was swept into power with the aid of a strong pro-labor faction.¹

With the advent of the new administration, came the launching of a program of reform. The factory act was passed and a department of labor created. In 1891 the Conciliation and Arbitration Act, called for by the most significant recommendation of the Sweating Commission, was first drafted by Mr. Reeves. It met with decided opposition in the Upper House and though passed in 1892 and 1893 by the House of Representatives, it was withdrawn when the compulsory clauses were thrown out by the Legislative Council. Despite the significance of the measure, the public apparently did not grasp its importance. Mr. Reeves himself states that during the three years and a half in which the fate of the bill was in suspense, it aroused very little enthusiasm or attention. While there was plenty of political excitement about the bill for closing shops and other measures, the public did not seem to take the arbitration bill seriously. The larger newspapers at first either violently condemned it or threw cold water upon it. A little later some of them expressed a guarded approval. A conference of employers objected strongly to the compulsory clauses. The trade union leaders studied its provisions and gave it their unflinching approval. The Opposition in Parliament constantly tried to eliminate the Arbitration Court, but on the whole its attitude was apathetic. Only once was a debate upon it listened to by half the members. The author gives us the best description of its final passage: " 'Frankly, the bill is but an experiment,' said the framer, 'but it is an experiment well worth the trying. Try it, and if it fails, repeal it!' Mildly interested, rather amused, very doubtful, Parliament allowed it to become law; and turned to more engrossing and less visionary matters."²

GENERAL DESCRIPTION OF THE ORIGINAL ARBITRATION LAW

As the evils demanding remedy in New Zealand and the events leading up to the passage of the act were freighted with industrial turmoil, the proposal of conciliation boards and an arbi-

¹ W. P. Reeves, *State Experiments in Australia and New Zealand*, II, p. 86-88.

² *Ibid.*, p. 105.

tration court as a solution of the problem was but a natural sequence. This was in marked contrast to the situation in Victoria where the urgent need was the abolition of sweating, and where in response to that need a system of wages boards was developed. It is true that New Zealand was not without her incipient sweating problem, but the uppermost consideration was the achievement of industrial peace. Hence New Zealand has evolved a system of collective bargaining taking no notice of irresponsible persons, as opposed to the Victorian plan of recognizing the individual. As drafted in 1891 the Arbitration Bill provided a complete scheme for the adjustment of labor disputes between unions of workmen and employers. The general plan as adopted in 1894, with expansions and modifications has continued to the present time. No cognizance was to be taken of disputes between individual men and their masters or between employers and bodies of men not legally associated. It was thought that such disputes were not of sufficient consequence to call for state interference. While a single employer could be the unit on one side, only a union could be recognized on the other. Disputes included all industrial matters "relating to work done or to be done, or to the privileges, rights or duties of employers or workmen in any industry, and not involving questions which are or may be the subject of proceedings for an indictable offense."¹

The industrial unions authorized by the act might consist of not less than seven workers or seven employers. These unions were to be bona fide organizations with rules and a fixed procedure. On registering they became corporate bodies with power to hold land and to sue and be sued, but only under the act. All members thereby became subject to the law and none could resign membership without giving three months' written notice. A trade union was only considered when registered as an industrial union, each branch being regarded for this purpose as a separate union. Several industrial unions could unite and register as an industrial association, subject to the same limitations as the smaller bodies.²

¹ Industrial Conciliation and Arbitration Act, 1894, No. 14, Sec. 2.

² *Ibid.*, Secs. 12-15.

For the purposes of administration the governor was given power to divide the colony into districts, each of which was to have a local board of conciliation composed of four or six persons elected by the unions of employers and workers respectively, and an impartial outside chairman chosen by the elected members. The voting unit was the industrial union, each union having as many votes as it had members to elect. The board was to hold office for three years, any member being eligible for re-election. One-half of the members plus the chairman, who had only a casting vote, were to make a quorum.¹ The board had full power to summon witnesses and receive evidence. It might refer any matter to a committee of its own members in order to bring about an understanding between the contesting parties. Special boards might be appointed to meet cases of emergency or special industrial dispute. Any party might appear before the board personally or by agent, but barristers were allowed only with the unanimous consent of all concerned. In reaching a decision the board was to "decide the question according to the merits and substantial justice of the case." If such a decision was agreed upon by the contending parties, it might become legally binding. Otherwise it only had the force of a friendly recommendation, not enforceable at law. The case could then be carried on appeal to the Court of Arbitration for a final decision.

The personnel of the Court consisted of three persons appointed by the governor. Two members were recommended by the industrial unions of employers and workers respectively, while the president had to be a judge of the Supreme Court. All members were eligible to reappointment after a three year term. Only both Houses of Parliament had power to remove them. The Court had jurisdiction of matters referred to it by any board or by a party dissenting from the recommendation of a board. It was unfettered by precedent and largely determined its own procedure. Hearings could be either public or private as the Court might order. It could admit evidence not strictly legal, require the production of books and papers, and its proceedings could neither be impeached for want of form nor be reviewed by any other court on any account whatsoever. No principle

¹ Industrial Conciliation and Arbitration Act, 1894, No. 14, Secs. 33 and 38.

was laid down upon which a decision should be reached except that it should be made "with equity and good conscience." An award had to be issued within one month after the beginning of the case, specify the parties to be bound by the same, apportion and assess costs, and specify the period not exceeding two years during which it should be in force. Thus, although unorganized workmen could not invoke the act, they were subject to obey it. Enforcement was left to the order of the Supreme Court after the initiative had been taken by a party concerned. Penalties were made recoverable in a summary way before any Stipendiary Magistrate composed of two or more justices of the peace.

This brief sketch of the arbitration system of New Zealand outlines the plan as it was first put into operation. Organization was its fundamental keynote. Unionism was to be recognized and fostered.¹ Through the control of responsible labor bodies it was believed that industrial peace could be attained. Collective bargaining by mutual agreement was aimed at as the solution for industrial strife. The Arbitration Court was put in the background, the authority of decisive and final jurisdiction to compel obedience. But it was not expected to be the common arbiter of disputes. Far from it. Mr. Reeves himself is reported to have said in 1894: "I do not think that the Arbitration Court will often be called into requisition, on the contrary, I think that in 99 cases out of 100 in which labor disputes arise, they will be settled by the Conciliation Boards."² How far his prophecy was from reality we shall see later. Although not chiefly inspired by the evils of sweating, the arbitration system like the wages boards have invoked the minimum wage to put an end to sweating. The difficulties it has encountered have tested its efficacy and suggested necessary modifications. To an extent these changes have altered the intent and original purpose of the act, as we shall see later.

Before passing to the economic and practical working of the system, we shall give our attention to the evolution of the administrative machinery of the act by legislative enactment and judicial decision.

¹ Andre Siegfried, *Democracy in New Zealand*, p. 129.

² Aves, p. 90.

II. THE ADMINISTRATION OF THE ARBITRATION SYSTEM; ITS LEGISLATIVE AND JUDICIAL EVOLUTION.

1. INDUSTRIAL UNIONS

Under the original act seven persons could form an industrial union of either employers or employees. It was soon felt that this equality gave an undue advantage to the workers. In 1895 the number required to form an employers' union was reduced from seven to five. At the same time it was provided that any incorporated company could be registered as an industrial union of employers.¹ In 1900 another move was made in the same direction, and two employers or seven workers were allowed to register as a union. With the passage of the Act of 1908, the constitution of these bodies was once more altered, and as such they exist to-day. Employers' unions may now consist of three persons or firms, while fifteen workers may form a similar society.² Industrial associations may still be formed of two industrial unions, and have the same general privileges and obligations as the smaller groups.

For the conduct and organization of these unions, detailed regulations and orders have been laid down respecting membership, conduct of business and general procedure. Before any dispute may be filed by a union of workers, it must be formally approved by a majority vote of the members. The registration of any union may be suspended or cancelled at the discretion of the Court for the commission of certain offenses. Various other penalties and liabilities are also prescribed. In this way each body is made accountable to the law and its responsibility for obligations as an incorporated unit is assured.

By an amendment in 1895, a union was limited to voting only where its registered office was situate. In the following year, this was changed so as to allow a vote in any industrial district in which it should do business. For this purpose a union was allowed to register in every such district, yet it was also seen that unions might multiply needlessly. To prevent this the Court was

¹ Industrial Conciliation and Arbitration Act Amendment, 1895, No. 30, Sec. 2.

² Industrial Conciliation and Arbitration Act Amendment, 1908, No. 239, Sec. 53.

empowered to decline registration in any case where there is another union in the same locality which the applicants can conveniently join. Both provisions have served to increase the usefulness of these bodies.

Equally important as the make up of the unions and the associations, has been their voice in selecting conciliators and arbitration judges. By the original act and again in 1900, it was provided that each industrial union should have as many voters as there were persons to be elected by its division, such votes to be cumulative, and the persons receiving the highest aggregate number of votes in each division to be declared elected.¹ In 1908 this method was abolished and every union having not more than 50 members was given one vote. Beyond that, one vote was given for every complete 50 members.² This method puts unions of varying size upon a fair basis of voting strength and is clearly superior to the former plan. It should be borne in mind that since the district boards have been abandoned, this provision applies only to the nomination of judges.

The industrial union as the very backbone of the arbitration scheme, is the means of holding responsible large numbers of individual men. While a trade union or an individual workman not a member of an industrial union may be bound by an award of the Court, organization is the only means of securing popular support and representation. But it should be remembered that the whole system is voluntary, depending in the first instance entirely upon the willingness of people to register. A clear perception of this fact is essential in considering the various related problems of administration.

2. THE CONCILIATION BOARDS

The Conciliation Boards as a part of New Zealand's arbitration system have had an interesting history. As it has already been intimated, they were conceived by their author in the hope that they would be the essential means for the settlement of industrial difficulties. That his expectations were unfulfilled was largely due to the fundamental antagonism between the principles of conciliation and compulsory arbitration, and the method of adminis-

¹ Ind. Con. and Arb. Act, 1900, No. 51, Sec. 38.

² Ind. Con. and Arb. Amend. Act, 1908, No. 239, Sec. 55.

tration of the former which was by a complete trial closely resembling the process in the court of last resort. At first the boards merely made recommendations which might become binding industrial agreements on the acceptance of the parties concerned. But in 1900 they virtually became arbitration courts of first instance. In that year their recommendations were made legally binding in default of an appeal to the superior tribunal within one month.¹ The maximum term of an award was extended from two to three years, and until one of the parties appealed to the Court for a revision. Thus, trades once regulated were brought permanently under the jurisdiction of the boards.

A section of considerable significance in reflecting the intentions of Mr. Reeves, was the provision in the original act for the appointment of special boards in the case of an emergency or special dispute.² Only one case is recorded where this section was utilized, that of the Auckland slaughtermen in 1907.³ Provisions were also made for the use of a board sub-committee in attempting to reconcile disputing parties. That the efforts at conciliation were not successful was not due to the failure to pave the way.

The need of experts to assist the boards in their work was recognized as early as 1895. In that year it was enacted that in a case where technical questions were involved, one expert might be nominated by each party to the dispute. These experts were to sit as assessors and be deemed members of the board or Court for the purpose of the dispute.⁴ The act of 1900 continued the experts as assessors and advisors, but not as members of the official body. However, it did allow the appointment of special boards to consider any case involving technical questions. The members of these boards were required to be experts in the trade involved. That they have not been utilized to advantage has been attributed by Mr. Victor S. Clark to the cumbersome machinery necessary to put these boards in motion.⁵ There is also reason for believing that the workers felt that their representatives on such boards were to an extent marked men, and hence less likely to

¹ Ind. Con. and Arb. Act, 1900, No. 51, Sec. 58.

² Ind. Con. and Arb. Act, 1894, No. 14, Sec. 41.

³ Aves, p. 92.

⁴ Ind. Con. and Arb. Act. Amend. 1895, No. 30, Sec. 4.

⁵ Bulletin of the U. S. Bureau of Labor, No. 49, p. 1195.

secure employment after serving in such a capacity. Where the experts have been advisers merely, it seems that their assistance has not been very valuable. According to Judge Cooper in the Wellington bookbinders case, the experts when called in disagreed on every item instead of assisting the Court to arrive at a decision.¹ It cannot be said that the employment of experts has materially aided conciliation in New Zealand.

In making the recommendations of Conciliation Boards binding in default of appeal, the Act of 1900 did not reduce the number of references to the Arbitration Court. Instead, as Mr. Reeves tells us, the proportion of disputes settled by the boards increased but slowly. This was due in part to the fact that for some years the employers sitting on several boards were Government nominees. Although they performed their duties honestly and well and were men of high character, the fact that they brought unwilling fellow employers under the yoke of the arbitration system, served to arouse antagonism. While there were no charges of corruption, the failure of employers to elect their own representatives, doubtless weakened these agencies. As the appointed nominees were replaced by elected men, these complaints died out, but not without a certain sense of public dissatisfaction. To regulate all the branches of an industry, a case might conceivably have to be heard by seven different boards and each case could be appealed to the Arbitration Court. In 1901 the discontent became strongly focused upon a board sitting at Wellington. In commenting upon the situation, the New Zealand Times stated that one case had taken thirty-eight sittings of the board and two others twenty-five days each. Admitting that all boards were not like those of Auckland, it went on to declare that "when in three-fourths of the cases brought before them the boards fail in their special function, it is time to set about amending their constitution and limiting their powers of mischief."

Soon after this, the Prime Minister, Mr. Seddon, in addressing a deputation of workmen commented strongly upon the congestion of the boards and their scanty results. Parliament was squarely confronted with the necessity for action. It might have substituted trade boards for general district boards or have abolished

¹ New Zealand, Annual Report of the Dept. of Labor, 1902, p. v.

the payment of members. Instead, it decided to give either party to a dispute the privilege of appealing directly to the Court without a previous hearing.¹ The effect of this amendment was to strike directly at the root of the original act. In most districts its effect was practically to supercede the conciliation boards. The Court was at once congested with a press of business, the more burdened for a time by the hearing of even minor breaches of awards. In spite of herculean efforts to clear the docket, awards could not be given promptly.² As late as 1909 and after the inauguration of conciliation commissions, Mr. Tregear, Secretary of the Labor Department, spoke of the disfavor which the Arbitration Court had excited by its delays in making decisions.³

In judging the work done by the boards it should be remembered that they have dealt with the whole range of industrial questions, hours, piecework, overtime, time wages, unionism, preference, apprenticeship, and the introduction of machinery. Having practically all the powers of the Court except that of compelling the production of the books and of enforcing awards, they have cleared away many preliminary difficulties, classified evidence, and put the references in shape for a prompt settlement. Speaking of the boards in 1901, Justice Cooper said he would be extremely sorry if there were an impression in the public mind that the boards were not a necessary part of the act. On the contrary he believed they were quite essential and cited the Canterbury board as an example of efficiency.⁴ Even in 1902 after the boards were practically a nullity, the president of the Court affirmed the intent of the act as follows: "No doubt * * * the underlying principle of the act is settlement by conciliation or agreement of industrial disputes, and the compulsory powers of the court do not arise ordinarily until the parties to a dispute have failed to adjust their differences by agreement."

But in spite of their advantages and the useful work they have performed, the district boards speaking generally, proved a

¹ W. P. Reeves, *State Experiments in Australia and New Zealand*, Vol. 2, p. 128.

² Annual Report of the Labor Dept., 1903, p. iv.

³ Ibid, 1909, p. 10.

⁴ Victoria, Report of the Royal Commission on the Factories and Shops Law, 1902, p. 16.

failure. The following table compiled by Mr. Aves, indicates their efficiency in a general way.

| Year ¹ | Awards (including awards in form of agreements)* | Agreements | Accepted recommendations of conciliation boards |
|---------------------------|--|------------|---|
| 1896 | 3 | 1 | 2 |
| 1897 | 3 | 5 | 4 |
| 1898 | 13 | 8 | 5 |
| 1899 | 15 | 15 | 8 |
| 1900 | 20 | 15 | 8 |
| 1901 | 27 | 24 | 11 |
| 1902 | 68 | 20 | 4 |
| 1903 | 38 | 19 | 5 |
| 1904 | 26 | 15 | 6 |
| 1905 | 38 | 8 | 4 |
| 1906 | 64 | 4 | 2 |
| To May 31, 1907 | 19 | 3 | ..... |

* As the awards are frequently agreements, embodied either wholly or partly in the terms of an award, the first two columns should be considered together. For instance, 23 of the 64 awards made in 1906 were in terms of agreements frequently arrived at through conferences held at the suggestion of the court. But the increasing reliance placed upon the court is easily seen. This has been due partly to an unfortunate personal element entering into the composition of some of the boards.

Judge Backhouse of New South Wales, in reporting his investigation of the New Zealand system in 1901, cited instances of board members who utterly misunderstood their function. Thus, as he said, these bodies often became "boards of irritation rather than conciliation."² Another reason for their want of success has been the appointment in some instances, of chairmen ill fitted by temperament for their task. But the final blow which practically abolished the boards was the amendment allowing cases to be taken directly to the Court. The procedure of the two tribunals being largely similar, and the decision of one only being final, there was no incentive to bring a case before a board. Such were the causes bringing about the dissolution of the con-

¹ Aves, p. 93.

² New South Wales—Royal Commission on the Working of Compulsory Conciliation and Arbitration Laws, 1901, p. 11.

ciliation boards. Despite the intent in which they were conceived, and their manifest usefulness for a time, they could not withstand the logic of events. In 1908 they were tacitly abolished by the amending act creating Conciliation Commissioners.

3. CONCILIATION COMMISSIONERS

The introduction of Conciliation Commissioners to take the place of the defunct conciliation boards, marks a new era in New Zealand's arbitration legislation. The amending act of 1908 left the Court as the central part of the system, but it can be applied to only after a Council of Conciliation has failed to make an adjustment. This is significant as marking a return to the fundamental principle underlying the boards of conciliation. Another important fact to be noted is a resemblance of the councils to the wages boards of Victoria. Although not appointed for a term of years to regulate the conditions of a certain trade, each council is constituted for a particular dispute and its members must usually be engaged in that industry. The primary function of a council is to reach an agreement in as informal a manner as possible. Thus the Victorian and the New Zealand systems have important points of convergence. Victoria has her Court of Appeals which finally passes upon the verdicts of her wages boards. New Zealand has her Conciliation Councils which are relieving the Arbitration Court of much of its burden. The systems of each country now represent features which hitherto have been regarded as peculiarly individual.

The permanent feature of the new councils is the Conciliation Commissioners. Under the statute the Governor was given power to appoint not more than four salaried commissioners for a term of three years each. They may be removed at any time by the Governor and are eligible for reappointment. Each commissioner is assigned the jurisdiction of certain of the eight industrial districts by the Governor. All disputes henceforth arising in any district must be referred in the prescribed form to the commissioner having jurisdiction. In addition to the names of the unions or associations desiring to be made parties to the proceeding, the application must contain the names of not over three persons whom the applicants desire to have appointed as

assessors to sit with the commissioner in hearing the case. The commissioner has the power to appoint an equal number of assessors from both employers and workers, subject to one qualification; each appointee must be a bona fide employer or worker in the industry concerned or a member of an industrial union or association which is party to a dispute. The commissioner also has the power under certain circumstances to appoint as assessors persons not so qualified.¹ As Mr. Paul Kennaday has pointed out, these exceptions have had an important effect in giving to the unions competent leadership. Where the union membership of several trades is small, the whole time of a secretary is not needed by a single union nor are the small unions able to pay the salary of a full time secretary. One man therefore often serves the unions of several different trades, in only one of which he is employed. Were the councils limited in membership according to the demands of employers, the smaller unions would be forced to depend for representation upon the limited abilities of their more inexperienced members. Upon the other hand, the paid secretary is skilled in debate and knowledge of the law and is in very little danger of losing his position through discharge. His presence at the conference table gives confidence to the associate members upon his side, and the case of the workers is thereby more adequately presented than it otherwise could be.

In attempting to reach a settlement the council may follow its own procedure. It may sit publicly or privately, hear legal evidence or none, and has the power to summon witnesses and compel the production of books and papers. One limitation only is imposed upon its procedure, which is in line with the general practice of the act; no barrister or solicitor is allowed to appear before it. An inquiry is not to be hindered by the absence of one of the parties to a dispute, but shall proceed the same as if they were present. When a settlement is arrived at, it is embodied in the terms of an industrial agreement and is frequently made effective by being formerly referred to the Court. If no agreement is reached the council may make a recommendation according to the merits and substantial justice of the case. Upon the unanimous concurrence of the assessors an opinion may be given as to whether the failure

¹ Ind. Con. and Arb. Amend. Act 1908, No. 239, Sees. 28-30.

to reach a settlement was due to the unreasonableness or unfairness of the parties concerned. It will be seen in passing that this feature bears a remarkable resemblance to a similar provision of the Canadian Industrial Disputes Act.

As the primary end of these councils is to reconcile contending parties, the commissioners are authorized to bring about a voluntary settlement by conference or otherwise at their discretion.¹ It was intended that every means of securing an agreement should be exhausted before resorting to more formal measures. In the first year of experience under the Act, this hope was justified. Mr. J. R. Triggs, reported that disputes between the Otago and Southland Shearers and the Dunedin Canister-makers had been settled by an informal conference. Likewise the demands of the Grocers' Assistants in the Wellington district were satisfactorily disposed of without the assistance of assessors. The record of following years is even better. According to the secretary of the Labor Department, there is a new spirit evident on the part of both employers and employed. There is less of a disposition to press the letter of an award or agreement to excess, which, conduces to industrial peace.²

In 1911 it was provided that in case a recommendation was made by a council in default of a settlement, the same should operate as an award if no disagreement were recorded by any of the parties involved within a period of seven days.³ However, this amendment was short lived. Two years later Parliament declared that no such recommendation should have the effect of an award unless passed upon by the Court.⁴ This latest act affirms the principle laid down by the older statute, that the recommendation of a Conciliation Board or Council should not have the wide scope of an award, because the parties to the dispute do not necessarily comprise the whole of the employers and workers engaged in the industry of any given district. None but a judicial body is competent to make an order binding other parties than those represented before it.

Judging by the record of the councils in settling disputes, the new method of adjudication has more than justified itself. Since

¹ Ind. Con. and Arb. Amend. Act, 1908, No. 239, Sec. 41.

² New Zealand, Report of the Dept. of Labor, 1909, p. xi.

³ Ind. Con. and Arb. Amend. Act, 1911, No. 33, Sec. 7.

⁴ Ind. Con. and Arb. Amend. Act, 1913, No. 7, Sec. 2.

the amendment of 1908 came into force, a total of 592 disputes has been dealt with. Of this number the councils have fully settled over 400. Less than one-seventh of the controversies are finally carried to the arbitration court. While this proportion has become somewhat smaller during the past year, it will be seen that on the whole the ratios are fairly constant. The following table compiled from the statistics collected by the government statistician, Mr. Malcolm Fraser, sets forth these facts more clearly:

INDUSTRIAL DISPUTES DEALT WITH BY CONCILIATION COMMISSIONERS AND COUNCILS UP TO MARCH 31, 1913.¹

| Year | Total No. of disputes | Fully settled | Partially settled | Wholly referred to Arbitration Court |
|-------------|--------------------------|------------------|----------------------|--|
| 1909..... | 102 | 67 | 23 | 12 |
| 1910..... | 87 | 65 | 14 | 8 |
| 1911..... | 119 | 86 | 19 | 14 |
| 1912..... | 118 | 74 | 23 | 21 |
| 1913..... | 166 | 112 | 28 | 26 |
| Total | 592 | 404 | 107 | 81 |

4. THE COURT OF ARBITRATION

Jurisdiction

The subjects falling under the jurisdiction of the Court are with few exceptions the same as those formerly lying in the province of the conciliation boards, now superseded by the conciliation councils. These subjects comprehend almost any fact or condition that might be stipulated in a private contract between an employer and employee. Among them are the wages and remuneration of workers, the hours of employment, sex, age, and qualification of workers, and the mode, terms, and conditions of employment. This is qualified by the reservation that in no case may the Court fix the age for the commencement or termination of apprenticeship. Under this grant of power the Court has issued regulations governing the distribution of the hours of labor throughout the days of the week as well as their aggregate amount, the hours for meals, the age of youths employed and the proportion of youths to men, various questions pertaining to apprenticeship, the terms of con-

¹ Compiled from the Reports of the Dept. of Labor, 1910-14.

tracts for job work, and the introduction of machinery and new processes. These are but a few of the subjects covered by the awards issued under the first and second definitions of an industrial matter.¹ An industrial matter may also concern the employment or dismissal of children and young persons, the claim of both workers and employers for preference of service to be given to members of industrial unions, and finally any established custom or usage of any industry.²

In defining the scope of its jurisdiction the Court itself has played an important part. An instance of this is an early case in which the grocers' assistants were involved. The original act had given the Court and the boards jurisdiction in disputes between persons engaged in or about works, businesses, or undertakings "of an industrial character." In 1899, Mr. Justice Edwards decided that the Grocers' Assistants Union was unable to bring a reference before the Court because its members were not industrial workers. It was held that an industrial worker was the producer of a manufactured article, and hence these workers were not within the contemplation of the act.³ A month later a similar decision was rendered by the same judge in the Tram Drivers' case. Livery stablemen were likewise barred from action. This interpretation was generally regarded as too narrow, especially since seamen were included and one of the chief objects of the act had been to prevent the paralysis of the transport facilities. The issue was thus clearly raised in the public mind and the way paved for an amendment. Under the leadership of Mr. Seddon the act of 1900 was passed carrying with it several important changes. An industrial matter was defined as one relating to an industry in which a party asking for an award was engaged. Thus the restriction imposed by judicial decision on the qualifications of applicants for a reference was removed. The jurisdiction of the Court but not that of the boards was extended to the workers on State railways. Industries were declared to be related when the conditions of employment in one were likely to affect similar conditions in another. Thus all the building trades form one such related group of occupations. The governor as well

¹ Bulletin of the U. S. Bureau of Labor, No. 49, p. 1212.

² Ind. Con. and Arb. Act, 1900, No. 51, Sec. 2.

³ New Zealand, Dept. of Labor Journal, Vol. 8, p. 522 and 526.

as the Court was given power to declare any specified industries to be related to one another.¹ In this way the broad purpose of the act was sustained and extended by the popular will. Quite as important as these statutory enactments in setting the bounds of jurisdiction was a later decision of the Supreme Court relative to the definition of an industrial dispute. While the act of 1900 had disposed of the inability of certain classes of workers to secure an award, it did not settle in the minds of those concerned what constituted an industrial dispute. Clause 2 of that act reads as follows:

"Industrial dispute means any dispute arising between one or more employers, or industrial unions or associations of employers and one or more industrial unions or associations of workers in relation to industrial matters."

In accordance with this definition, a dispute was usually raised by a union of workers preparing a statement of wages and conditions of labor and mailing it to each employer in that trade in the district with a request that a reply be given by a certain date as to whether or not the terms would be accepted. Often-times a suggestion for a conference between representatives of the two sides accompanied the circular letter. Partly as a result of this practice and partly because of a decision given by the Federal High Court of Australia in December, 1905, employers dissented from the general interpretation of an industrial dispute. They held that before there could be an industrial dispute within the meaning of the law, there had to be conditions existent seriously threatening a strike or lockout. In other words, it was claimed that industrial war had to be at hand before the Arbitration Court could take a hand in adjusting matters. Considerable encouragement was given to the adherents of this position by the judgment of the Australian Court just referred to. The case there had arisen under the arbitration law of New South Wales which is quite similar on this point to the New Zealand law. The High Court stated that in its opinion any claim made by an industrial union in the abstract was not an industrial dispute. It insisted that there had to be a real dissatisfaction on the one side or the

¹ Ind. Con. and Arb. Act, 1900, No. 51, Sec. 23.

other with prevailing conditions. Such being the case, it conceded that a definite body of employees and not the union in general might negotiate with the employers even through an outside agent.

After this judicial precedent, some employers of New Zealand advised by an eminent lawyer decided to test the law of their own state as to the meaning of the term "industrial dispute." With this end in view, the application of the Otago Coal Miners' Union of Workers was resisted by the Cromwell and Bannockburn Collieries Company (Limited). A motion was made before the Supreme Court that the conciliation board be prohibited from sitting, on the ground that the plaintiffs had never accepted a recommendation of any Board of Conciliation, were bound by no agreement or award of the Arbitration Court, and that no industrial dispute had arisen between the plaintiffs and the persons employed by them, or the Otago Coal Miners' Union. The defendants of course replied that an industrial dispute had arisen and that their application was within their legal rights. They maintained that conflict or strife was not an essential element of an industrial dispute, but that the term included every case in which practically there was a disagreement. In a noteworthy decision delivered on August 6, 1906, Mr. Justice Cooper upheld the position of the defendants. The following salient extracts of his opinion are worth quoting as they show most clearly the attitude of the Court upon this subject. After stating several definitions, he says:

"Although it is, therefore, essential before a dispute can be the proper subject for inquiry under the Arbitration Act, that the workers must be represented by a trade or industrial union or an industrial association, it is not essential that any member of an industrial union or association shall be in the employment of any employer party to the dispute, or be personally concerned in the dispute (section 105 of the act of 1905).

"There is no provision corresponding to this section in the New South Wales Arbitration Act, and the decision of the Federal High Court in the Pelaw Main Colliery case (22nd December, 1905), upon which Mr. Hasking relies, is distinguishable from the present case upon this ground, the main ground of the decision of the High Court in that case being that the union there had no legal interest in the sub-

ject matter of the alleged dispute, as the men employed in the mine were all non-unionists. Under our statute the fact that no unionists were employed would not of itself oust the jurisdiction of the board of conciliation in a particular dispute.

"Mr. Hasking's main contention is, however, that before there can be an industrial dispute within the meaning of the Arbitration Act there must be a condition approximating to an industrial warfare, and which may result in a strike. He says that the use of the term 'dispute' connotes strife. He has suggested that the Legislature did not intend to invest the Arbitration Court with jurisdiction to regulate industrial conditions unless there was existing a serious condition of hostility between employers and workers in a particular trade. If this view is correct, then for many years past the Arbitration Court has been exercising powers beyond its jurisdiction, for in many references to it the relations between the employers and workers were very far removed from anything which could be properly termed industrial warfare. But, although the genesis of the Industrial Conciliation and Arbitration Acts was the desire to devise some means to prevent strikes and the evils resulting therefrom, the jurisdiction of the tribunals set up under these Acts is very much wider than was suggested by Mr. Hasking. The Legislature has provided a means by which any dispute between competent parties concerning the conditions of employment in any industry may be defined and regulated — first by the process of conciliation before the Boards of Conciliation, and, failing this, by the process of compulsory arbitration by the Court of Arbitration. The only condition precedent to the application of these processes is that there must be a 'dispute,' and this term used in the statute has a very much wider meaning than that contended for by Mr. Hasking, and is not limited to a dispute having as one of its essentials the condition of actual or probable strife. In order to found the jurisdiction contained in the statute, it is, in my opinion, only necessary that there should be a difference concerning the conditions of employment between a trade union or an industrial union or industrial association, through whom only the workers can voice their proposals, and the employers in a particular industry. It is not necessary that that difference should have arrived at an acute stage. And whether there is such a difference or dispute is a question of fact, and this Court has no concern with the merits or extent of the difference or dispute. That is a matter for the tribunals to

which the Legislature has intrusted the settlement of the dispute."¹

This decision clearly established the right to a hearing for applications filed by responsible parties. In the following year there was another case bearing in the same direction. The Canterbury Agricultural and Pastoral Labourers' Union filed an application in regard to wages and conditions of work with the Sheepowners' Union, asking the latter to appoint delegates for a conference. This request was flatly refused. Previous to this action the Labourers' Union also communicated with the Farmers' Union which was not registered under the act, thinking that this was quite sufficient for the purpose in view. In passing upon the case Judge Sim ruled that the Farmers' Union had no authority to negotiate on behalf of its members in regard to industrial matters and hence a dispute with that body was impossible. But the Court held that there was a dispute with the Sheepowners' Union and that it was competent under the Amendment Act of 1905 for the Labourers' Union to join in the reference as parties to the dispute a large number of farmers who hitherto had not been concerned in the affair. It was further held possible that the names of some of these farmers might be unknown to the union.² By this pronouncement over 7,000 farmers and sheepowners of Canterbury were made responsible to the decree of the Arbitration Court. It is a curious coincidence that this same point was called up by the action of the laborers of Canterbury in 1912. But in this case an application was refused after a union had failed to carry out the directions of the Court to apply for the joinder of other farmers as parties to the dispute.³ The earlier case, however, was of greater importance for it confirmed the principles established in the precedent decision concerning the coal miners.

Whether the effect of these rulings has been entirely desirable is open to question. It undoubtedly has made the creation of disputes easy, which according to Mr. Aves "represents for many the chief failure of the New Zealand Act." Mr. Broadhead has criticized this tendency quite severely, asserting that the act has

¹ New Zealand, Book of Awards, Vol. III, p. 316.

² Book of Awards, Vol. VIII, p. 606.

³ Book of Awards, Vol. XIII, p. 184.

been entirely diverted from its original purpose. He quotes statements by Mr. J. MacGregor, who in his pamphlet, *Industrial Arbitration in New Zealand*, says, "Obviously then, the object of the Legislature in passing the Act, and of Mr. Reeves in drafting and introducing it was to provide means by which strikes and lockouts, and disputes likely to result in such might be prevented or settled." Mr. Reeves in speaking before Parliament said, "This house is only asked by public opinion to legislate to prevent that class of labor disputes which cause loss or danger inasmuch as they may arrest the processes of industry."¹

Granting that the original intent of the act in this particular has been outgrown, it is quite true that the number of disputes has been thus directly increased. In this way many trades have been regulated which otherwise would not have been touched. So far as the creation of needless disputes and narrow minded agitation has been promoted, the result has been bad. The amending act of 1908 has had a direct counteracting influence in greatly diminishing the number of cases brought before the Court. Irresponsible leadership has been minimized and a distinct effort is now being made to secure regulation with the least possible amount of litigation. In thinking of labor leaders, a distinction should be made between those who courageously demand the remedy of evils of inequality and those who selfishly promote strife for their individual profit. Both types were favored by the judgments of the Court, and corresponding advantages and disadvantages accrued. It is now recognized that freedom of reference coupled with the desire to conciliate will secure the greatest benefits for all concerned. This is the path marked out by experience which will lead to greater efficiency in solving the problems incident to the division of industry's rewards.

Preference to Unionists

Another question of jurisdiction raised by the attitude of the court was that of preference to unionists. The title of the original statute was worded, "An Act to encourage the formation of industrial unions." In accordance with the intent so expressed the Court first ruled in the Canterbury bootmakers' case in 1896 that unconditional preference should be given to an industrial union of workers, stipulating only that members should be equally

¹ Henry Broadhead, *State Regulation of Labour and Labour Disputes in New Zealand*, p. 49.

qualified with non-members, and that they should work harmoniously with the latter class where they were employed. Non-members were declared subject to the same conditions of work and wages as members. In this industry the union practically controlled the bootmakers of the colony even before the arbitration act existed. In his opinion Mr. Justice Williams indicated that the Court would give weight to the importance of a union in a trade. Later cases sustained this opinion and established the principle that preference would only be given when the existence and aims of a union were a benefit to the other workers in the trade. The burden was put upon the union to prove that its members form at least a dominant element in the trade under consideration. Where union men are only a fraction of the total number of workers, preference is refused. This principle was clearly indicated by Mr. Justice Edwards in the award of the Christchurch engineers' case in 1898 in the following language:

"The claim of a union to a preference of employment, in my opinion, necessarily fails when it is ascertained that the union is not really representative of the greater number of workmen employed in the trade, and the claims of the union have not resulted in any practical benefit to the bulk of the workmen."

In the same paragraph the judge lays down another requirement to be complied with:

"Not the least important matter for consideration in each case must be whether or not the union is practically open to every person employed in the trade who desires to join it."¹

Succeeding awards have further established rules for the giving of preference and have been conditioned upon the fulfillment of these requirements. A union must in its rules allow any competent man to become a member without unreasonable restriction, financial or otherwise, if it wishes to secure preference. This rule was first enunciated by the Reefton gold miners' award of 1900 and was subsequently followed by many others.² Until the union has complied with these conditions, employers may hire any person they choose. But the members of a union must be as well qualified as non-members for the work to be performed. To insure

¹ New Zealand, Dept. of Labor Journal, Vol. 6, p. 718.

² Ibid, Vol. 8, p. 110.

the carrying out of the preference requirement it was also frequently stipulated that the unions should keep a register of the names, addresses, and qualifications of unemployed union members in a place where it might be conveniently consulted by employers. Thus an employer could satisfy himself of the fitness of any prospective servant and could hire a non-unionist should the former be unfit for the work contemplated.

As the preference clause was repeatedly inserted in awards it aroused the hostility of dissatisfied employers. In 1898 an amendment struck out of the title of the act, the words "to encourage the formation of industrial unions and associations." This was done to discourage the Court in giving preference to unionists.¹ The hint was quietly disregarded, whereupon the employers took more direct action. Although any interference with the Arbitration Court was forbidden by the act itself, the Christchurch plumbers and gasfitters applied to the Supreme Court for a mandamus against the enforcement of an order of preference to union men. Mr. Justice Denniston in dismissing the motion held that the Arbitration Court was entirely competent to give such an order. The employers thereupon took the case to the Court of Appeals. In a clear cut opinion by Chief Justice Stout, concurred in by Justices Williams and Conolly, the decision of the lower court was upheld. In delivering the opinion the chief justice, after dwelling to a considerable extent upon the wide power of the Legislature in establishing the status of individuals independent of constitutional restrictions, said:

"The only question this court has to determine is whether the words of the act are clear enough to show that the Court of Arbitration has the power claimed for it. First, it is to be noticed that limiting the power of the employers as to the workmen they must employ is a matter affecting their privileges, and this is in the very first paragraph of the definition of an 'industrial matter.' In subclause (b), which has been quoted, power is given to the court to deal with the status of workmen. The term 'status' is a wide one. It has been said to include the following things: Sex, minority, marriage, celibacy, mental defect, physical defect, rank, caste, profession, official position, race, color, slavery, civil death and many more. Then subclause (c) says that 'industrial matters' includes the 'class of persons' that can be employed.

¹ W. P. Reeves, State Experiments in Australia and New Zealand, Vol. 2, p. 121.

I am of opinion that the court, having power to determine the status of workmen and the class of persons to be employed, has power to declare that trade unionists shall have a preference over workmen not belonging to a trade union.

"Many of the industrial disputes that have arisen have been disputes between workmen and employers as to whether non-unionists should be employed along with unionists, and it would be strange that this fertile source of strikes and disputes should have been excluded from the jurisdiction of the Court of Arbitration. The court has, in my opinion, power to give a preference to unionists, even though non-unionists are not heard by the court, and not allowed to represent their case. The court, as I have said, can control the privileges of employers, and can fix the status of workmen, or the class of persons that can be employed. Whether the court can or cannot give a preference to workmen belonging to one union over workmen belonging to another union is not before us. If it were I should think that it was doubtful if such power could be exercised by the court * * *."

"This court has no control over the Court of Arbitration in matters within its jurisdiction. It may in such matters act on its own interpretation of law, and its own findings of fact, without appeal from any of its decisions. No court can control it once it is shown to have dealt with an 'industrial dispute' as defined in the statute. For the reasons I have given I am of opinion that the Court of Arbitration can, if it chooses, give the preference mentioned, and therefore the appeal must be dismissed, with costs on the middle scale, and as from a distance."¹

This judgment so definitely upholding the verdict of the lower court was of course a victory for the trade unionists. At first the employers felt that an appeal should be made to the Privy Council, but after consultation they decided to let the matter rest and oppose preference as their interests demanded. For a time the general feeling against the act subsided but the issue of compulsory statutory preference was fairly raised. The secretary of the Labor Department has repeatedly called attention to the proposal in his annual reports. In 1904 when a motion for preference was defeated in the House of Representatives several members friendly to the unions declared themselves against unionism by conscription.² The labor unions have exerted their influence time

¹ Book of Awards, Vol. I, p. 304.

² Report of the Dept. of Labor, 1904, p. 5.

and again to secure statutory preference. Mr. Seddon, the late premier, expressed his sympathy with their purpose and said he did not believe there could be a complete organized labor unless preference was given to unionists. The annual conferences of the Trade Councils went so far in 1906 and 1907 as to demand unconditional statutory preference to unionists. Against these efforts has been thrown all the resistance of the employing classes. The New Zealand Employers' Federation and the Farmers' Union issued circulars and carried on a wide propaganda campaign in 1903 when there seemed to be danger of the proposal becoming law. Their enterprise has doubtless been of weight in shaping public opinion. In 1907, in reply to a deputation representing the Trades Councils' Conference held at Wellington, the Minister of Labor positively dissented from the proposition in the following language:

"No parliament would give any body of men the right to make rules on any lines they pleased. They would never get preference on any other lines than that given already. The door would always be left open. Parliament * * * would never grant a body of men the power to make rules taking away from any other body of men the right to live."¹

So far this view has prevailed. In spite of resolutions passed by trades and labor councils, and the efforts of committees and delegates, Parliament has been obdurate to any change in this respect. The Court may still give or refuse preference as it seems fit.

Before passing the consideration of this subject, it may be well to note some of the features of later awards giving preference. As we have noted, the general rule is to give conditional preference. The case of the New Zealand Federated Boot Trade, decided September 24, 1903, is one notable exception.² This award, extending over the whole trade and the whole colony, gave the union the right to obtain the dismissal of any non-unionist if his place could be adequately filled by a unionist. Another award decidedly favorable to the workers was that given in the case of the Wellington Painters' Union, June 6, 1907. It directed that all non-union journeyman working for any employer should join the union

¹ Broadhead, p. 125.

² Report of the Dept. of Labor, 1904, p. 5.

within two weeks after an award went into effect.¹ This gave rise to an interesting decision when a signwriter and embosser, considering himself an artist and not an artisan, refused to join the union. The Court held that he had committed a breach of the award by failing to join the union and sustained the original provision.² The method now followed in enforcing awards of this character is to send a notice to the union whenever a non-unionist worker is taken on. If the worker does not join the organization within a specified time the union may call upon the employer to discharge him, provided it can furnish an equally suitable hand to replace him. This method is greatly superior to the former plan of requiring the union to keep employment books containing the names and qualifications of unemployed members. As these books were often poorly kept, the Labor Department found it difficult to prosecute offenses committed by employers. Under the present system the operation of the preference clause of awards is proving much more satisfactory to both employers and workers.³

It is worthy of notice that the award in the Wellington Painters' case, previously cited, not only gave preference to workers, but also to employers. If a member and a non-member of an employers' union desire the services of a union journeyman, the worker is bound to give his services to the employer affiliated with the union. This reciprocity has some advantage to union employers and has been common to many subsequent awards.

Figures showing the extent to which preference to unionists is granted at present are not immediately available, but some interesting facts are available from a return issued on special order in 1906. In that year there were 159 awards in force. Preference was granted in 115 of these; in 40 cases it was refused and in four no request was made for it. In only five awards was absolute preference given without conditions. The terms on which preference was conditional were various. Seventy-six awards required that the rules of the union should allow any person of good character to become a member upon the payment of an entrance fee not exceeding five shillings and subsequent contributions not over six pence per week. It was generally required that union members should be equally qualified with non-members for the

¹ Book of Awards, Vol. VIII, p. 314.

² Book of Awards, Vol. IX, p. 224.

³ Report of the Dept. of Labor, 1912, p. xii.

work to be done. There was more or less variation among other minor conditions, such as we have already noticed.¹

From the trend of events in recent years it now seems improbable that compulsory preference will be enforced by statute. The principle has loyal supporters and no less ardent opponents. It is true that there is a valid argument in favor of it in the fact that the act itself is based upon the assumption of unionism. The machinery of the system is set in motion by the unions and the very life of the Court's jurisdiction depends upon organization. But there remain serious difficulties in the way of such a step suggested by court decisions already considered. Labor conditions are not uniform in the various trades. Employers fear that in the event of a labor monopoly being created, there would be no appeal in equity from the provisions of a rigid statute. Although it is true that the existence of unions would be further safeguarded by uniform preference, it would seem that the Court is entirely competent to decide this question. Unconditional preference has been repudiated as too radical a step for the Liberal statesmen of the Dominion. In view of the past administrative history, it can hardly be said that there is any great need for even conditional preference to be enacted by the Legislature. Such being the case, the status quo of this matter is likely to be preserved for a time at least.

Extension of Awards

Another way in which the authority of the Court has increased has been in the power to extend the operation of awards beyond a single district or industry. In 1900 the Secretary of the Labor Department called attention to the unfair competition sometimes existing between the manufacturers of two similar or adjacent districts, one district only being subject to an award. In that year it was sought to introduce a clause into the new act allowing an award to apply throughout the colony. This was resisted by some who thought that the proposal was aimed at the special industrial conditions in the province of Auckland, where living expenses are much lower than at Dunedin. The result was a compromise. Power was given to the Court to make a colonial award wherever it pertained to a trade, the products of which entered

¹ Broadhead, p. 113.

into market competition with those manufactured in another industrial district.¹ But any union of employers or men in such a district, could lodge a protest. If this was done, the award was thenceforth suspended until the Court had sat there and determined the issue.² This protest clause was at once called into play by the clothing manufacturers and clothing employees of Auckland, who resisted the application of the federated unions of Dunedin, Christchurch, and Wellington for a uniform award. After considering the objections, the Court decided in favor of Auckland and prevented the extension of the southern award to their district.³

By the amendment of 1901 in the following year the powers of the Court were widened still more. It was empowered to limit the operation of an award to any city or part of an industrial district, and to extend an award to any person, employer or industrial union within a district.⁴ In 1903 the principle of elastic regulation was carried still further and it was left to the discretion of the Court to extend the territorial jurisdiction of an award where there was reason to suppose that an injustice would be committed by confining it to the original district.⁵ This amendment was quite adequate for the situation at that time and in practice has been the law ever since. After the establishment of the Conciliation Councils which handle disputes centered mainly in one district, another change was found to be necessary. Accordingly in 1911 the Court was enabled to grant an award covering more than one district upon the direct application of any industrial association of employers or workers. By the present law any party to an award may apply for its extension to all unions, associations or employers in the Dominion who may be engaged in the same industry.⁶ It can be seen from the evolution of this particular part of the arbitration system that diverse conditions of trade and industry have been a very important factor in even a small country like New Zealand. How much more so they may

¹ Ind. Con. and Arb. Act, 1900, No. 51, Sec. 87.

² W. P. Reeves, *State Experiments*, Vol. 2, p. 125.

³ Bulletin of the U. S. Labor Bureau, No. 49, p. 1233.

⁴ Ind. Con. and Arb. Amend. Act, 1901, No. 37, Sec. 13.

⁵ Ind. Con. and Arb. Amend. Act, 1903, No. 62, Sec. 4.

⁶ Ind. Con. and Arb. Amend. Act, 1911, No. 33, Secs. 4-6.

prove to be in some of our large American states is a matter for careful study. But as New Zealand has met her problem by constant experiment and patience, the task of adjustment even here may not be impossible.

Aside from these larger aspects of jurisdiction, there are some smaller phases worth noting. Although the original act took no cognizance of unorganized workers, the act of 1900 stated that any non-unionist working for an employer bound by an award should himself be bound by the same award and be liable to a fine of £10 for breaking it.¹ Owing to the working of this section, legal opinion was doubtful as to its meaning, many believing that it did not hold individual unionists liable. This was cleared up by the Amendment Act of 1905, which expressly stated that an award was binding upon every worker so employed.² A similar difference of opinion existed in regard to the section in the act of 1900 specifying what parties should be bound by an award. In 1905 the Court decided in the Auckland Builders' case that an employer who had not been mentioned by an award was not bound under it.³ This gave any employer the right to plead ignorance as a bar to enforcement. This dilemma demanded legislative action, which was secured in the amendment of 1905. By it the Court was allowed to notify persons to attend a hearing by public notice, and every person whether a party to the original proceedings or not was made subject to the award then given.⁴ This provision has been strengthened by subsequent enactments so that ignorance of the law may no longer be an excuse for its violation. Both employer and employee have in this way been made more accountable to the law, and the administration of the act made simpler and more successful.

The Work of the Court

Having considered the position and work of the Court in some of its more special aspects, it remains for us to notice by way of summary its general run of activities. As we have already seen,

¹ Ind. Con. and Arb. Act, 1900, No. 51, Sec. 87.

² Ind. Con. and Arb. Amend. Act, 1905, No. 56, Sec. 8.

³ Book of Awards, Vol. V, p. 190.

⁴ Ind. Con. and Arb. Amend. Act, 1905, No. 56, Sec. 3.

its first work is the making of awards, 93 of which were issued during the year 1913-14. But there are many other matters to be disposed of in the administrative routine. The interpretation and amendment of awards, and the hearing of enforcement cases occupy no small amount of time. There are also appeals from the Stipendiary Magistrates to be considered as well as cases arising under the Workers' Compensation Act. The following summary for the year 1913-14 presents the varied work of the Court in concrete form.

*Work of the Court of Arbitration, 1913-14*¹

| Cause | Number of Cases |
|--|-----------------|
| Awards made | 93 |
| Enforcement of awards (cases conducted by the Labour Department) | 8 |
| Interpretation of awards | 20 |
| Other decisions (amending awards, adding parties, etc.) | 48 |
| Appeals from decisions of Stipendiary Magistrates in enforcement cases | 5 |
| Application for awards refused | 3 |
| Appeal from Registrar's decision to refuse registration of union | 1 |
| Cases under the Workers' Compensation Act | 64 |
| Total | 242 |

Upon March 31, 1914, there were 445 awards and agreements in effect, all but 28 of which were distributed in their operation among the four principal industrial districts of the Dominion. Most of these have been made in recent years, the number of awards issued by the Court having continued fairly constant from year to year since 1908. Up to 1906 approximately 256 awards were granted.² Since that time the work of the Court has greatly increased as the following list shows.

¹ Report of the Dept. of Labor, 1914, p. 18.
² See *supra*, p. 1973.

*Awards Made by the Arbitration Court.*¹

| Year | Number |
|---------------|--------|
| 1905-6 | 52 |
| 1906-7 | 59 |
| 1907-8 | 98 |
| 1908-9 | 88 |
| 1909-10 | 88 |
| 1910-11 | 74 |
| 1911-12 | 80 |
| 1912-13 | 94 |
| 1913-14 | 93 |
| Total | 726 |

Finally, at what cost have these awards and agreements been produced? For the year 1912-13 the expenses of the Arbitration Court and the Councils of Conciliation were £8,171. This annual expenditure is somewhat higher than it was in 1908, owing mainly to the larger number of cases disposed of by the Conciliation Councils. When the volume of business done is considered in relation to its aggregate cost, it is evident that from the administrative standpoint, arbitration has been secured at a reasonable price. Within their own limitations it would seem that the organs of the arbitration system in New Zealand have been fully as efficient as other similar agencies in Australasia.

5. PENALTIES AND THEIR ENFORCEMENT

The method employed to enforce awards is one of the most interesting phases of the arbitration system. Under the original act of 1894, the enforcement of awards was left to the individual unions. To be legally binding any award had to be filed with the Supreme Court. On application to this court any party could get an order exacting a penalty for a breach committed. This penalty was not to exceed £500 in the case of an individual employer or trade union, and in default of union funds any individual was liable to the sum of £10. Costs, however, were in

¹ Report of the Dept. of Labor, 1914, p. 18.

the discretion of the Arbitration Court.¹ When it became necessary to enforce the penalties thus prescribed, the Court held that the only remedy for aggrieved parties was to proceed by attachment. This weakness due to obscure wording demanded an amendment, which was brought forward and sharply challenged in the Upper House. As a price for permitting the penalty clauses to be made effective, the Opposition secured the reduction of the maximum penalty which might be imposed to £500 including costs, for any number of offences.² The power of enforcement was taken away from the Supreme Court and given to the Arbitration Court, which was henceforth to determine the penalty for violations of its own awards. Penalties were to be payable by the offender to the injured party at the discretion of the Court.³ This policy of assessing fines frequently led to a shift of reprisal which savored of anything but justice.

In 1901 the first step to enforce the arbitration law by the State was taken. It was provided that the inspectors appointed under the Factories Act should have the power to enforce any award or industrial agreement. The Unionists were apparently in sympathy with this move after their experience in prosecuting employers, for the Trades and Labor Councils' Conference held at Easter in 1903, asked the Government to make the enforcement of awards obligatory upon the inspectors of factories. In the same year the proposals of the Conference were enacted into law. In addition to the factory inspectors, every inspector of mines appointed under the mining acts of 1891 and 1898 was likewise created an inspector of awards and charged with the duty of seeing that the orders and agreements of the Court were duly observed. All such inspectors were given the right to require the production of wages and overtime books, the keeping of which was later made an imperative obligation upon employers.⁴ It was assumed by the Labor Department, that the laying of information by an inspector was a discretionary duty and that due caution should be observed in filing complaints. If after an investigation of a supposed breach an inspector believes

¹ Ind. Con. and Arb. Act, 1894, No. 14, Secs. 74-76.

² W. P. Reeves, *State Experiments*, Vol. 2, p. 120.

³ Ind. Con. and Arb. Act Amend., 1898, No. 40, Secs. 75-81.

⁴ Ind. Con. and Arb. Amend. Act, 1903, No. 62, Sec. 7.

a claim to be frivolous, he so reports and further action is left to the unions.

The results following the appointment of the inspectors have clearly been for a more efficient administration of the act. The industrial unions have been relieved of the unpleasant duty of prosecuting their co-workers. The Labor Department reported in 1905 that out of 295 cases for breach of award prosecuted at the instance of inspectors, 232 had been won by the State. Aside from this, the inspectors had settled 312 cases without recourse to the Arbitration Court and obtained over £1,463 in back wages for the workers. This sum was considerably in excess of that secured by court verdicts. The record in subsequent years has been equally good, conclusively proving by the prevention of industrial friction and increased efficiency of effort, the practical utility of the principle of State inspection and enforcement.¹

For a few years immediately after the appointment of State award inspectors, much of the work of enforcement was still done by the trades unions. Mr. Aves remarked that while this duty was supposed to devolve upon the inspectors, it was in practice, undertaken only after a report had been received from a private individual or a trade union. The function of the inspectors has steadily become more important until now they have practically taken over the work of enforcement. During the year ending March 31, 1912, there were 444 cases taken by the Labor Department in the Magistrates' Courts and 20 by the unions. Aside from 97 miscellaneous cases, the inspectors conducted 17 cases in the Arbitration Court as against none for the unions. Over £507 was secured in fines by the Department as against £15 for the unions.¹ These figures amply show what agency performs the task of enforcement and require no further comment.

There is one feature of former practice in enforcing awards that is worth noting briefly. During the early years of the law, the fines levied by the Court for violations of the act went to the losing parties. While some union officers used their powers with discretion, this practice furnished a direct incentive to prosecute for breaches. Suits were sometimes brought when the offense against

¹ Report of the Dept. of Labor, 1912, p. xvi.

the law was unintentional or technical in character. Dr. Clark called attention to several instances of this kind. In one case a holiday occurred during a week in which both men and employers unknowingly worked two and one-half hours more than the time prescribed under such conditions. Although there was considerable doubt as to whether or not there was a breach, the employers were sued and penalized. Fines ranging from one to two pounds for each employer went to the unions while the costs of the suits were almost eight pounds. One union secretary who received no salary from the organization went from district to district collecting fines from suits that he precipitated. Private settlements were also made, which assuredly were not sanctioned by the law.¹ It was such circumstances as these which led many organizations to demand a change in the law. Even some prominent unionists admitted the fallacy of these methods. In 1904 the following petition was made to the Labour Bills Committee by representatives of the New Zealand Employers' Federation:

"We want to ask that provision shall be made that all fines levied under the Act shall be paid into the consolidated revenue of the colony. We have no objection whatever to the parties who may bring a dispute getting all their out-of-pocket costs. * * * In our opinion the present system offers a positive inducement to cases being brought before the Court, inasmuch as many cases of alleged breach of award are found to be not breaches of award, but the party bringing the alleged breach of award becomes a participator in the profit resulting from any charge being sustained. If unions are able to get fines of £5, £10 or £20, in addition to money out of pocket, you can see that there is some little inducement and incitement to take advantage of any alleged breach which may have been discovered. We think that this should not obtain. * * * We believe that the principle is entirely sound that where fines are inflicted, the colony being charged with the administration of the Act, those fines should be the property of the colony and not the property of any particular party. * * * We quite believe that the union or the employer should be recouped the costs out of pocket, but that they should not be able to make a profit out of the transaction. That is our position."²

The above statement fairly represents the weakness of the method then used by the Court in fixing penalties. The demand

¹ Bulletin of the U. S. Labor Bureau No. 49, p. 1243.

² Broadhead, p. 85.

for a change was not effective, however, until 1908, when an amendment was passed making fines payable to the State. Since that time petty charges have been discouraged, and justice rather than revenge or profit has been the aim of those engaged in upholding the law.

Recovery of back wages

Before taking up the general place occupied by the Magistrates' Courts in the arbitration scheme, it will be well to consider for a moment the right of a workman to recover back wages. In 1906 an important case of this nature arose and was passed upon by the Court of Appeals. A firm of printers had been fined £10 by the Arbitration Court in 1905 for having paid a youth in its employ less than the rate of wages fixed by an award. It made no order as to the payment of back wages. The employee in question had never made any objection to the wages paid him, although he had been paid at less than the award rate since 1902. After the conviction of his employers by the Arbitration Court, suit was brought in the Magistrate's Court for the recovery of the back amount. The magistrate dismissed the case and an appeal against his decision was made to the Supreme Court and ultimately to the Court of Appeals. The verdict of this tribunal has been of such importance that an extract from the opinion of Justice Edwards is here quoted:

"The respondent sued the appellants for arrears of wages. On the hearing he proved that he had worked in the service of the appellants; that there was an award of the Arbitration Court in force in the industrial district in which he was employed, fixing the minimum rates of wages to be paid to him in respect of his service. This was all that it was necessary for him to prove to entitle him to recover. He did not set up or rely upon any contract, nor was it necessary for him to do so. Upon proof of the service there arose an implied contract on the part of his employers to pay to him reasonable remuneration in respect of such service."

After commenting upon the plea of the appellants setting forth a contract made with the respondent to work for a lower rate of

wages than that prescribed by the award, the justice proceeds to discuss the liability of the worker in accepting such a rate. He emphasizes the object of a minimum wage as the protection of the worker alone, and concludes:

"In my opinion, therefore, the respondent has not been guilty of a breach of the award, and could not be fined under the provisions of the statute. I do not, however, base my judgment upon this. Even assuming that the respondent was guilty of a breach of the award in accepting monthly payments at less than the rate fixed by the award, I am satisfied that the appellants cannot set up as an answer to their own initial breach in tendering to the respondent a lesser amount than they ought to have paid under the award, the subsequent breach by the respondent in accepting the amount so tendered, nor, for the reasons already stated, do I think that they could do so if the breach by employer and employed were held to be simultaneous. In my opinion, therefore, the appeal should be dismissed, with costs on the lowest scale."¹

The effect of this decision was to make it possible for a worker to sue in an ordinary court for any wages fixed by an award. As a result there was an increase in this kind of litigation and inspectors consequently found it easier to collect back wages without going to court. The intimation of the justice that a worker could not be convicted of a breach of the act for accepting less than the minimum rate of wages has not been sustained by later judicial practice. In 1909 there were several cases where men were fined small amounts for accepting less than the legal rate of wages.² This has been done upon the ground that the worker, no less than the employer, has a duty to perform in upholding the law. As a result it has been to the interest of both classes to make themselves familiar with the awards. Employers hitherto frequently had only an imperfect knowledge of awards and sometimes were not even aware of their existence. Since that time the Labor Department has adopted the practice of mailing a copy of an award to every employer bound by it. Information concerning the law is thus much more widely diffused at present and its enforcement is therefore easier. Both workers and employers

¹ Book of Awards, Vol. VII, pp. 501-3.

² Book of Awards, Vol. XI, pp. 107, 275. See also, Report of the Labor Dept., 1908, pp. 107-112.

having positive rights and positive obligations, the machinery at least is provided by which the act may be upheld.

The Function of the Magistrates' Courts

Under the original arbitration law breaches were enforced upon order of the Supreme Court and penalties could be recovered in the District Court before a stipendiary magistrate. As we have seen this procedure was completely changed in 1898 and the Arbitration Court was made the tribunal for both adjudication and enforcement. Necessarily a great burden of litigation was thrown upon this body, which became doubly heavy after the practical abolition of the Conciliation Boards in 1901. Complaints were continual about the delay in the hearing of cases by the Court. Not only did the delay cause the continuance of evil conditions, but it often prejudiced the position of parties laying information before the Court by the departure of important witnesses from the district. In spite of the efforts of the Court to overcome the congestion, little real headway was made toward a solution of the problem. Various suggestions were made in the way of reform, but not until the amending act of 1908 was there any legislative relief. It was then enacted that all breaches of awards and penalties therefor should be prosecuted in a magistrate's court and not otherwise except as an inspector desired to sue in the Court of Arbitration.¹ An appeal to the Court was also allowed, which in 1911 was restricted to cases involving over £5. The effect of this amendment has been to greatly facilitate the administration of justice. Witnesses are now available before the evidence is forgotten and employers seem to realize more fully that the act must be observed.² The fact that since 1908 penalties for breaches must be paid to the State and not to the injured party, is another very important factor making for a healthy respect for law. Practically all cases are now brought before the magistrates, in spite of the fact that inspectors still have the right to sue in the Court of Arbitration. It is true that the views of magistrates often differ, one being inclined to give nominal fines while another is more severe. There is also a loss of time in explaining the technicalities of an act to the magistrates, which is avoided in the

¹ Ind. Con. and Arb. Amend. Act, 1908, No. 239, Sec. 14.

² Report of the Labor Dept., 1910, p. 46.

other court. But considering all drawbacks, the fact is evident that the Arbitration Court may now give its time largely to arbitration. The payment of fines to the State together with the influence of the inspectors has discouraged the filing of petty suits. To the outside observer, it seems that the ends of both justice and administrative efficiency are better served now than they were before the advent of these changes.

6. THE MINIMUM WAGE AND THE PERMIT SYSTEM.

Although strike prevention was the initial purpose of the arbitration system, the payment of a fixed minimum wage for a certain minimum quantity of work soon became its necessary complement. In the amendment of 1898 a clause was first inserted giving the Court power in making an award to prescribe a minimum rate of wages. Special provision was to be made for those unable to earn the minimum rate of wages, and at any time during the currency of an award, the Court could fix a lower rate of wages.¹

As special permits were formerly granted, the rate was frequently agreed upon by the employer and the president or secretary of the trade union. Appeals were carried to the chairman of the local conciliation board or some other disinterested party with whom rested the ultimate decision. While other methods were sometimes provided, this was the one commonly followed. A definite time limit was usually specified in a permit. This has now become a general rule.

As this plan worked out in practice, men seldom appealed to the chairman of a board because of the latter's disinclination to reverse the decision of the union. Owing to the frequent refusal of many of the unions to grant permits to the less competent men, the Arbitration Court devised a new clause covering applications for the same. This clause first appeared in the Nelson Carpenters' award, December 17, 1904, and allowed applications to be made direct to a local chairman or to a stipendiary magistrate where there was no such chairman. In giving its reasons for this change, the Court emphasized its attitude by saying:

"It will be observed that the way in which the clause is now framed removes a source of confusion by showing more

¹ Ind. Con. and Arb. Act. Amend., 1898, No. 40.

clearly than formerly that it is not the union which grants the permit, but the chairman or other independent person appointed by the Court. This is important, because we have found in practice that men in many cases approached the union, and having met with a refusal have not pursued the matter further by appealing to the Chairman. The essential feature of the present clause is that the workman shall go directly to the Chairman, while power is given to come to an agreement with the union officials which shall render this unnecessary."

In thus making it clear that it was not the union which granted the permit, the Court aroused the dissatisfaction of the unionists. Their resentment was increased still more by the substitution of the word "worker" for "journeyman," as they believed it meant the large introduction of unskilled labor. A month or so after the initiation of this clause, a deputation from the Trade Councils' Conference waited upon Mr. Seddon, then Premier, and urged that the issue of permits be checked in order to stop the influx of untrained men into the trades. Ultimately the outcry against the new ruling subsided, and in 1905 the demand of the unionists to be heard when applications were passed upon, was enacted into law.¹ These petitions were now required to be in writing and addressed to the person authorized by the award to grant them.² But this plan also had its disadvantages. Desirable as it often was to have the judgment of the union in passing upon the abilities of its members, it frequently lead to exasperating delays. A firm in the sawmill business at Invercargill reported that it was difficult to get the services of a local chairman on short notice, while between the sittings of the Court they would employ and discharge hundreds of men. For this reason the inspectorial permit has its advantages for both employer and worker.

If the administration of the permit system before and after 1908 is compared, it will be seen that the number issued is apparently diminishing. The inspectors are now the chief dispensers of these privileges, the trade union secretaries being second in importance. The centralization of administrative authority has been accompanied by the elimination of the magistrates and

¹ Broadhead, 80-2.

² Ind. Con. and Arb. Amend. Act, 1905, No. 56, Sec. 13.

the local chairmen of the conciliation boards. These facts are shown by the following table:

| PERMITS ISSUED UNDER AWARDS. | | | |
|---------------------------------------|-------|--|-------|
| PERIOD 1902-1907. ¹ | | PERIOD 1908-1913. ² | |
| By | | By | |
| Chairmen of Conciliation Boards | 603 | Inspectors | 427 |
| Secretaries of Trade Unions.. | 614 | Secretaries of Trade Unions.. | 312 |
| Stipendiary Magistrates | 71 | Others | *267 |
| Total number granted.... | 1,288 | Total number granted.... | 1,006 |
| Applications refused | 121 | Applications refused — no figures available. | |
| Total number applications. | 1,409 | Total number applications. | |

* Includes 265 unclassified permits granted in 1908.

When to grant a permit, has proved as in Victoria, a question difficult to answer. It has frequently been reported that the refusal to issue permits has resulted in hardship for the workers, yet in the opinion of Dr. Clark, the unions as a rule were fairly liberal in granting concessions to real incompetents.³ While the union may pass upon the ability of a member more fairly than an outsider, unionists have by no means been content with the situation. Their contention has been that employers have constantly at hand a weapon with which to attack the integrity of awards. All they need do is to declare that a worker is unable to earn the minimum rate. This claim caused considerable friction with the tailoresses of Dunedin in 1906, who protested against their alleged industrial inferiority. The crux of the matter is that there is no statutory definition of incompetency as implying age, infirmity, or other disability. The slow, as distinct from the incompetent worker, is naturally averse to applying for a special rate and the trade union is equally loath to assent to it. Such being the circumstances, it is not to be wondered at that discharge should be his lot. That this has not been a serious evil is due in part to a tacit recognition of the difference between incompetency and slowness.

¹ Aves, Report to the Home Dept., 1908, p. 151.

² Statistics compiled from Reports of the Labor Dept.

³ Report of the U. S. Bureau of Labor, No. 49, p. 1211.

During the last few years the small number of permits issued has not been accompanied by any marked fluctuations in the amount of unemployment. According to the reports of the Labor Department the number of incompetents has actually fallen off.¹ It is also true that times have been good, many of the less competent being employed at the regular rates. Permits have only been issued in exceptional circumstances, and then to old men, or young boys who have not fully learned a trade.² Although a social problem is thus avoided, there is a constant danger that changed industrial conditions will render a statutory distinction between the slow and the disabled worker imperative. Somewhere in the administrative system this fact must be clearly recognized, if a uniform minimum wage would be enforced. At present this part of the act is operating with a fair degree of success, especially since the issuing authority has been centralized more largely in the inspectors. The commercial prosperity, the opposition to piece work, and the semi-monopolistic position of labor are now combining to hold the balance of power in favor of the workers. A decline in industry or in the demand for labor will reveal the inherent weakness of the present statute. An amendment in the direction of the Victorian law would undoubtedly put the permit system upon a more logical basis and may in time become necessary.

7. STRIKES AND LOCKOUTS — PROVISIONS *in re* STRIKE PREVENTION.

The prevention of industrial war through the voluntary assent of disputing parties is the keynote of the New Zealand system. Not until a body of employers or workers has registered as an industrial union is it subject to the jurisdiction of the law. The original act took no cognizance of strikes of unorganized workers on the theory that such disputes were not important enough to call for State interference. After the reference of a dispute both strikes and lockouts in that industry were strictly forbidden. Violations of this rule could be punished by penalties up to £50

¹ Report of the Labor Dept., 1911, p. 30.

² Report of the Labor Dept., 1912, p. 35.

in amount. From time to time various provisions to insure industrial peace were added. In 1895 it was enacted that unless the relationship of employer and employee had ceased at least six weeks before the reference of a dispute, the authority of the Board or Court should not be affected thereby.¹ Likewise in 1901, the discharge of any worker pending the disposition of a dispute was made a violation of the law unless the party accused could prove the contrary to the satisfaction of the Court. Similar to this was the provision that any employer dismissing a worker merely because of his membership in a union or because he was entitled to the benefit of an award should be liable for a breach.² It is a curious fact, first pointed out by Mr. J. MacGregor, that from 1898 to 1905 a strike or lockout could not be made a breach of an award, owing to the amendment of 1898.³ In 1905 strikes and lockouts were made statutory offences, punishable by a fine of £100 for a union or an employer and of £10 for an individual worker. By such means it was planned to effectually suppress the outbreak of industrial strife.

The early history of the arbitration system recorded no serious violations of the peace. There were strikes it is true. Among the most prominent were those of the ironfounders and bricklayers at Wellington, the goldminers at Reefton, the coal truckers at Denniston, and the bricklayers at Auckland. None of these were of any great magnitude, and in general the period was one of comparative quiet. In 1907 occurred one of the first strikes in direct contravention of the act, that of the slaughtermen at Gear and Wellington. This was later followed by a strike of the Auckland tramway workers and also by the miners of the Blackball coal mine. The causes of some of these strikes and the issues involved illustrate the problems arising in the effort to "keep the peace."

The slaughtermen employed by the Gear Meat Company and the Wellington Meat-export Company were working under an industrial agreement which had expired, but which by virtue of

¹ Ind. Con. and Arb. Amend. Act, 1895, No. 30, Sec. 5.

² Ind. Con. and Arb. Amend. Act, 1903, No. 62, Sec. 6.

³ Le Rossignol and Stewart, *State Socialism in New Zealand*, p. 224.

the arbitration act continued in force until a new award should be made. The advance in wages offered by the employers was refused as not being sufficient. The men thereupon struck. After a hearing the Court decided that the agreement had never been legally enforceable and many of the men went back to work. However the strike had spread to other places, making necessary the enforcement of several awards by the Arbitration Court. Sittings were held at various places and the men were fined £5 each for having aided and abetted a strike. Part of them paid the fine in full and others by instalments. Some of the fines were evaded by nonpayment and by men leaving the country.¹ Thereupon an application for a writ of attachment was made to the Supreme Court. On March 15, 1907, Mr. Justice Cooper gave a judgment to the effect that penalties could if necessary be enforced by imprisonment. Satisfactory arrangement was then made for the payment of pending fines. Some time later an application was made for a similar writ in the case of a Timaru striker, which was denied by Mr. Justice Williams. An appeal by the Labor Department resulted in a decision by Chief Justice Stout definitely establishing imprisonment as a proper means to enforce the payment of fines.² This step, however, was never taken.

During these months, the strike was a subject of discussion by the press, employers, and others. The Wellington Trades Council was the only labor organization in the Colony which openly commended the strikers. Most of the others played the part of interested spectators.³ But revolt was in the air. A conference of farmers enraged by the action of a conciliation board in calling four hundred witnesses and incurring an expense of £3,000 in passing upon a farm laborers' dispute, called upon the Government to repeal the act. Had there been the least encouragement for the strikers from the general public, the whole system might then have fallen to pieces.

The next crucial strike was that of the Blackball coal-miners. It is interesting to note one of their demands, that in case of dismissal, those to go should be chosen by ballot of the workers and

¹ Report of the Dept. of Labor, 1907, p. 6.

² Book of Awards, Vol. VIII, p. 1108.

³ Broadhead, p. 195.

not at the discretion of the management. It was alleged that there was a lockout but this contention was not sustained by the Court. The judgment declared that the men had been dismissed for trouble as to trucking and not because of their union affiliation. A fine of £75 was imposed upon the miners' union for its misdemeanor, which public sentiment approved. In delivering its verdict the Court forcibly presented the situation. It said in part:

"It appears from the evidence that several trades and labour councils, and also some workers' unions in the Dominion, have passed resolutions expressing their approval of the present strike. Now, the whole purpose of the conciliation and arbitration system is to prevent strikes, and it is clear that strikes and arbitration cannot exist together as remedies for the settlement of industrial disputes. The workers of the Dominion must make up their minds which of these remedies they desire to see retained. They cannot have both, and they must elect which they will support. If they are satisfied that it would be better for them to have the arbitration system abolished, and the right of striking restored in its integrity, there would be little difficulty, we think, in persuading employers to concur with the workers in asking the Legislature to bring about the change, and the employers would assist, no doubt, with becoming cheerfulness in performing the obsequies of the system. If however, the workers desire to retain the present system of arbitration, either with or without modification, then they ought to realize that every resolution that is passed approving of a strike furnishes an argument for the abolition of the system. An arbitration system which does not prevent strikes is a failure, and cannot survive. If the workers, by striking and approving of strikes, bring about the destruction of the arbitration system, they may have occasion in future to deplore, when too late, the sad want of foresight shown by their leaders."¹

This judgment delivered upon March 13, 1908, was not heeded by the workers, but they acted in open defiance of it. An order was made to recover fines from individual miners, culminating in the sale of their goods and chattels. All of the old time strike methods short of personal violence were employed, but to no re-

¹ Book of Awards, Vol. IX, p. 61.

sult. After eleven weeks of idleness the disgruntled strikers returned to work.¹

Another strike of lesser importance involved the Auckland City Tramways in November, 1907. It was caused by the dismissal of a number of motormen and conductors without previous notice. Although it lasted only a few hours, both employers and men were fined for violating the terms of the award.² More important was the Wellington Bakers' strike where the men refused to accept an award of the Court. Ultimately the men had to yield, but some interesting cases were raised showing the need for a change in the law. A restaurant keeper who was neither an employer or a worker in the baking trade was cited for aiding and abetting a strike. The case against him was dismissed as he could not be punished under the act. Similar to this was the charge against the Secretary of a Bakers' Union of Workers for aiding and abetting. The definition of a strike given by the Court in this case was of considerable interest. The judge declared that the offense of striking was complete when men refused to work while acting in concert, but that continuing to strike was no offense.³

It was such events as these which proved that the old act had in several particulars outlived its usefulness. The employers had often contended that workers possessing no visible property were not sufficiently liable under the act. While the individual property of employees had been sold to enforce judgments against a union, there was no further means to thwart the lawless action of single workers. A clearer definition of the terms, "strike" and "lockout," and the fixing of different degrees of culpability was believed to be necessary. Some felt drastic personal punishment to be incompatible with individual freedom, especially when penalties fell with equal force upon married and unmarried offenders. These open questions and technical weaknesses aggravated by small strikes and disappointing awards, paved the way for the Amending Act of 1908. Employers and employees alike were exasperated by the long delays of the Court. Although the work-

¹ G. H. Scholefield, *New Zealand in Evolution*, 1909, p. 239.

² Report of the Dept. of Labor, 1908, p. 10.

³ Report of the Dept. of Labor, 1909, p. 12.

ers were in revolt against the existing administration of the law, they were by no means willing to return to a state of non-regulation. A manifesto issued by the Wellington Trades and Labor Council in July, 1908, shows the feelings of the laboring men. The following extract is worth repeating:

"We want the act as originally conceived by the framer.
* * * The failure of the present Act is due to the fact that employers have designedly ignored the boards and relied on the Court. The constitution of the Court, with its legal encumbrances and formula and the unconscious bias of its president, makes the odds two to one against the workers every time. The Court has of late, in addition to its failure to improve the industrial conditions of workers, attempted to usurp the power of the Legislature, and each attempt has been with the object of depriving the worker of constitutional rights already granted. We for the time being advise the workers to adhere to the principle. As an improved method of settling industrial disputes conciliation has always been advocated by the workers, and we again urge the importance of it. Only as a last resource should the Court in our opinion, be resorted to."¹

This opinion was not confined to the workers. Mr. Aves found that less than one-fifth of the employers he consulted really believed the act to be bad in its effect. Thirty-five out of forty-three representative firms were admittedly in favor of it.² Indeed, as Mr. Harris says, people were generally agreed that the principle of arbitration should be maintained. The only difference of opinion was as to how to make the law press equally on both employer and employee.³

The leadership in reforming the old law was assumed by the Minister of Labor, Mr. J. A. Miller. While the bill was in process of preparation and legislation, the public interest in and criticism of the proposed changes did not flag. This, as Mr. Paul Kennaday has pointed out, was the result of the old act and the hope of the new one.⁴ People had grown accustomed to the solution of

¹ Scholefield, p. 240.

² Aves, p. 164.

³ Percy A. Harris, *New Zealand and Its Politics*, p. 29.

⁴ *Yale Review*, 19:44.

industrial problems by reason and hence there was no desire to return to the old method of strikes and lockouts. After a long period of discussion and compromise the amended act was finally passed. In its final form the penalty of imprisonment was abandoned and fines alone were relied upon. Unlawful strikes and lockouts were carefully defined as those participated in by parties bound by an award or agreement. For such offenses employees and employers were respectively made liable to penalties not exceeding £10 and £500.¹ Any worker may be specially fined £10 for inciting, aiding, or abetting a strike or lockout, and any other person is liable to the extent of £200. Aiding and abetting the commission of such an offense was made to include the giving of money or other material benefit to any of the parties involved. All such penalties are recoverable only at the suit of an Inspector of Awards.² The responsibility for impartial enforcement is thus put squarely upon the Department of Labor.

The public interest was protected by unusually heavy fines in the case of certain utilities affecting the general welfare. These special penalties may be exacted from any employer or worker to the extent of £500 and £25 respectively, if fourteen days previous notice in writing is not given to the other party before any strike or lockout. Aiding and abetting such industrial warfare is punished with equal severity. These are the occupations to which this section applies:³

1. The manufacture or supply of coal gas.
2. The production or supply of electricity for light or power.
3. The supply of water to the inhabitants of any borough or other place.
4. The supply of milk for domestic consumption.
5. The slaughtering or supply of meat for domestic consumption.
6. The sale or delivery of coal whether for domestic or industrial purposes.
7. The working of any ferry, tramway, or railway used for the public carriage of goods or passengers.

¹ Ind. Con. and Arb. Amend. Act, 1908, No. 239, Sec. 5.

² Ind. Con. and Arb. Amend. Act, 1908, No. 239, Secs. 6-7.

³ Ind. Con. and Arb. Amend. Act, 1908, No. 239, Sec. 9.

As has already been noted, the act as now constituted relies mainly upon money damages, which may be enforced against either individual or organized workers. In addition to these penalties the registration of any union of workers may be suspended for a period of not over two years for aiding and abetting strikes. The court is thus provided with a very effective means of holding unions in check. This suspension, while in force, deprives the union of the benefit of any award or agreement. It may be barred from any proceedings with a view to securing an award or agreement.¹ By these means it was sought to put a premium upon obedience to the law.

It is interesting to note some of the large facts in the endeavor to secure industrial harmony. Since the original act took effect in 1894, there have been 35 strikes in contravention of it while 63 others have occurred outside of its jurisdiction. Of the total of 98 strikes, 43 may be classified as trivial. Omitting the unimportant cases, 3,686 strikers have been involved with a loss in wages of £283,206. These strikes have all occurred since 1905 when the pressure of economic forces began to be more plainly felt. As to the wisdom of this method for settling industrial disputes, the figures themselves are the best evidence. The following tables present the most salient of these facts.

²*Summary of Strikes and Lockouts from 1894 to 1913.*

| | |
|--|-------|
| Number of strikes under the act..... | 35 |
| Number of strikes outside the act..... | 63 |
| Total number of strikes..... | * 98 |
| Trivial disputes | 43 |
| Average duration (exclusive of trivial strikes)..... (days) | 23 |
| Total number of strikers (exclusive of trivial cases)... | 3,686 |
| Total number of men rendered idle by strikes (exclusive of trivial cases)..... | 8,380 |

* Thirty-one of these strikes were of slaughtermen, consisting of two separate sympathetic strikes, one in 1906-07, and the others in 1912-13. Six of these were within the scope of the act, while twenty-five were outside it.

¹ Ind. Con. and Arb. Amend. Act, 1909, No. 239, Sec. 10.
² Official Year Book of New Zealand, 1913, p. 676.

| | |
|--|----------|
| Approximate loss in wages to workmen..... | £283,206 |
| Approximate loss to employers concerned..... | £160,414 |
| Total amount of fines of strikers..... | £1,917 |
| Total amount collected to date (80%)..... | £1,532 |

¹*Strikes and Lockouts by Years.*

| Year | Unlawful | Lawful | Total |
|-----------------|----------|--------|-------|
| 1894-1905 ..... | ..... | ..... | Nil |
| 1906 ..... | ..... | ..... | 1 |
| 1907 ..... | ..... | ..... | *12 |
| 1908 ..... | ..... | ..... | 12 |
| 1909 | 3 | 1 | 4 |
| 1910 | 2 | 9 | 11 |
| 1911 | 3 | 12 | 15 |
| 1912 | 10 | 11 | 21 |
| 1913 | 5 | 18 | 23 |
| Total | 23 | 51 | 99 |

* Slaughtermen only. Six strikes were within the act and six outside it.

It is evident that strikes have become increasingly prevalent since 1908. The largest number occurred in 1912, a year characterized by unusual industrial unrest. However, only six of the twenty-one strikes reported could be regarded as serious. But the year 1913 was marked by an industrial upheaval such as had not been experienced since 1890. A dispute between the Wellington shipwrights (who were not bound by the arbitration law) and the Union Steamship Co. was the occasion for an outbreak, which culminated in the calling of a general strike by the New Zealand Federation of Labor. The coal miners became involved and a general sympathetic strike followed. As a result, the shipping business of the Dominion was almost paralyzed and business in general was greatly depressed. Not until the middle of January, 1914, did industry regain its normal course.²

¹ Compiled from the Reports of the Labor Dept. and the Official Year Book of New Zealand, 1911, 1912, 1913.

² Report of the Dept. of Labor, 1914, p. 12.

It was the opinion of Judge Backhouse in 1901 that the law had brought about better relations between labor and capital. It often happened in the early years, that higher wages and better conditions were thus established in trades that sorely needed them. So long as awards were in favor of the workers and wages were being constantly raised, labor was content to accept them. When the top wave of prosperity seemed to have been reached and judgments adverse to labor were rendered, the working classes were inclined to be discontented.¹ The strikes of 1907-8 were the result and more stringent means of enforcement were demanded. The debates in Parliament and in the Legislative Council show that the situation was fairly faced by the law makers. The measures then adopted were to a large extent successful in coercing both disputing employees and employers into obedience. But the arbitration law has not solved the problem of industrial warfare. Dissatisfaction among the workers of certain occupations has caused a number of large unions to withdraw from the protection of the Act, and strikes have followed such withdrawals. To meet this situation, the Government decided that additional machinery should be provided in order that such disputes might be investigated. Accordingly the Labour Disputes Investigation Act, drafted along the lines of the Canadian Industrial Disputes Act, was passed in 1913. It was originally planned to incorporate this act in a consolidated arbitration law, but owing to pressure of time, the passage of the latter measure was postponed. The new act differs from the Canadian law in the following respects: it applies to all trades and not only to public utilities; it provides for more elasticity in the constitution of tribunals for the investigation of disputes; it fixes a limit of fourteen days for the completion of such investigation; and lastly, it provides for a secret ballot of the workers after the investigation of the dispute and before a strike may take place. Although according to the latest reports no disputes have yet come under the provisions of the new act, it is hoped that this law may help to avert threatened strikes.² The success of the Conciliation Councils would seem to indicate

¹ See Andre Siegfried, *Democracy in New Zealand*, pp. 152, xiv.

² Report of the Dept. of Labor, 1914, p. 17.

that such a hope is well founded. In conciliation, rather than in more stringent penalties under the arbitration law, lies the way to the future preservation of industrial peace.

8. JUDICIAL INTERPRETATIONS OF THE COURT.

The pronouncements of the Arbitration Court in fixing the terms of awards have probably been the most important single factor in the evolution of the Act. Reference has already been made to the preference question and the extension of the jurisdiction of awards. Various other decisions are no less interesting. In a time of general depression it was arranged that the managers of certain coal mines should try to rearrange the work and reduce the time of each man rather than dismiss any. In 1911 in an interpretation of the Wellington Tailor's Award the Court refused to allow an employer to compel his hands to take time off owing to dullness of trade.¹ Likewise employers have been requested to fill vacancies with local workmen, all things being equal, instead of importing them from a distance.² Working women have also secured benefits under the Act. Female typesetters have been put upon the same wage scale as men. Of all women employees, the tailresses, of whom mention is made elsewhere, have probably received the most favorable awards. Other rulings already alluded to have provided for the recovery of back wages. Interpretations of stated questions take up no small part of the Court's time. It is plainly apparent that the miscellaneous work of the Court is of considerable importance in the practical administration of the arbitration system.

The Basis of an Award; the Minimum Rate of Wages

Fundamentally essential in the administration of the Arbitration Law is the basis upon which awards, and especially the minimum conditions of awards are made. This is far more important than the various problems of interpretations already mentioned. Yet, in spite of its importance, there are few clearly defined rules and principles upon which to base an award. The statute law has not

¹ Book of Awards, Vol. IX, p. 186.

² Reeves, *State Experiments*, Vol. 2, p. 116.

yet advanced beyond the general statement contained in the original act, that questions shall be decided "according to the merits and substantial justice of the case." Inasmuch as the Court has practically been left to its own devices, it is not strange that its policy of fixing conditions has not been uniform. In making an estimate of the working basis of an award, one of the most fruitful sources of information is to be found in the opinions of the Court.

Upon the initiation of the law in 1896, the Court tried the experiment of delegating the authority to fix wages to a committee of employers and employees constituted by the award. However, it soon modified this arrangement and did away with the private boards. Since then the Court itself has directly fixed the minimum terms to be observed by the parties to an award. In general it may be said that the Court tries to include in an award terms which might have been arrived at by a collective extra judicial bargain. The wage, therefore, tends to be fixed at what in the opinion of the Court is a "fair rate." Mr. Aves went so far as to say that the minimum rate was the recognized standard for the average man in any given trade.¹ But Dr. Clark cites some of the earliest awards of the Court in which this tendency was departed from. By one of these given in 1897, the wages of the Wellington seamen were raised \$2.50 per month. A similar advance was made in the Canterbury carpenters' award of the same year. Although wages were thus sometimes lifted above the average previously prevailing in an industry, it was the only thing to be done if strikes were to be prevented during a period of rising prices and profits.²

The emphasis of the Court upon a "fair wage" as a minimum is reflected in the opinion of Judge Cooper in giving a range makers award in 1902. After stating that the dispute had been dealt with on the evidence before the Court, the judge said; "the rates we fix are the minimum rates, and are in our opinion, the fair minimum rates for this class of work in Christ Church."³

The award of the Wellington timber workers given in the same year classified adult labor and fixed a rate of wages for each class. This was done for country as well as city mills. The purpose of

¹ Aves, p. 100.

² Bulletin of the U. S. Labor Bureau No. 49, p. 1206.

³ Dept. of Labor Journal 10:1156.

the Court is revealed in the following sentence; "It is a fair minimum that we have to fix, neither the lowest wages paid in one particular mill nor the highest paid in another, but what ought to be a fair minimum for all mills." ¹ Still other awards such as that of the Auckland gas workers and the Otago brickmakers did not refer to a minimum but only to a fair rate. Yet notwithstanding these assertions, the Court has recognized the desirability of what Justice Higgins of Australia calls a basic wage, in the Auckland Carters' award of 1902. After speaking of the factors considered, it says: "We wish both men and masters to bear in mind that it is the minimum wage, not the maximum we fix. * * * The court does not consider that because it has fixed the minimum at a little lower than the wage at present paid to a few carters, these carters ought to be brought down to the minimum rate. We assume that in such cases employers are satisfied that these individual men are worth the rates they are now receiving."²

The cabmen's award of the same year was even more definite and forbade any employer to reduce the wages of any employee who was then earning more than the minimum rate of wages prescribed by the award.³ Frequently, as in the Wellington Grocery Clerks' award of 1902, only a general minimum is fixed for the lower grades of labor and the employer is left to fix the rates for the more skilled workers. Mr. Aves described this general minimum as the avoidance of anything like a sweating wage and asserts that any award fixing a wage of less than 30s. per week for adult males in urban employment would be followed by a general community dissent; it would be condemned because insufficient as a living wage.⁴ This policy seems to have been generally followed in succeeding awards.⁵ It is, therefore, apparent that the Court has not overlooked the fact that the ultimate fixing of wages for the most numerous grades of labor should be left to private enterprise.

That the Court has been unwilling to trust the promises of employers to ensure fair conditions of contract is evidenced by an

¹ Dept. of Labor Journal 10:482.

² Dept. of Labor Journal 10:499.

³ Ibid, 136.

⁴ Aves, p. 100.

⁵ See H. H. Lusk, Social Welfare in New Zealand, 1913, p. 84.

award given in 1909 concerning the butter, creamery, and cheese factories of Wellington. Owing to an inflation of land values in this district it was claimed that a fall in the price of dairy products was imminent. Therefore the factory owners asked that they be given a free hand in fixing wages. This the Court refused to do, maintaining that the right of a laborer to fair wages was superior to any claim arising from fluctuating land values. At the same time hours were fixed at seventy per week in order to meet the demands of the busy season. The attitude of the Court is revealed in the following trenchant language of Justice Sim:

"If nothing more than fair wages have been paid in the past it is not reasonable to ask that factory owners should be free to reduce them merely because a number of farmers have been so unwise as to pay extravagantly high prices for dairying land. Mr. Pryor, who appeared for the employers, indignantly repudiated the suggestion that his application amounted to saying that the employers desired to be at liberty if necessary to sweat the workers in the factories. If, however, they have paid only fair wages in the past, and do not desire to pay anything less in the future, why should they object to an award which will not oblige them to do more than that?"¹

To what extent the cost of living or the profits of employers have figured in fixing the terms of awards it would be difficult to say. That these factors have been recognized, there is no doubt. But the measure of importance attributed to each has varied with individual cases and circumstances. In a carters' award given in 1902, it was stated that the cost of living, the nature of the work to be performed, and the rates already fixed in other centers were essential facts considered in reaching the decision.² To secure a grant of higher wages, the evidence submitted must be definite. This rule was established by the Gisborne Painters' and Decorators' award of 1909. A union of workers had asked for an increase of wages on the ground that the cost of living had risen. Judge Sim refused the application, writing in part as follows:

"It is idle to ask, as many unions do, for an increase in the wages fixed by an existing award, and to have nothing better to offer in support of the application than the evidence

¹ Book of Awards, Vol. X, p. 146.
² Dept. of Labor Journal, 10:499

of a number of workers who are prepared to say that in their opinion, the wages asked for are reasonable. To rely on evidence of that kind is to confess that the union has been unable to find anything in the shape of fact or argument to support its case."¹

No less important than the cost of living to employees, are trade conditions and the cost of production. While the union leaders generally emphasize the cost of living argument, they have also urged the fact of large profits as a reason for higher wages and shorter hours. The various judges who have presided over the Court have been quite averse to anything approaching profit sharing as a basis for their judgments.

In giving an opinion concerning the Dunedin Seamen's award in 1906, Judge Chapman declared that while evidence as to profits was usually admitted as part of the general inquiry, the Court could not fix wages on a profit-sharing basis because that would involve differential rates as between employers.² Mr. Justice Sim was even more emphatic when he discussed this question a year later at Wellington, saying in part:

"Under such a system the men would have to go without wages if there were no profits. The Court should endeavor to give the men fair remuneration for their work, regardless of whether employers got a profit or not. Profits could only be taken into consideration in extreme cases. There were cases where an increase in wages would wipe out a business."³

In 1909 the federated boot workers asked for an increase of wages on the ground that since 1902 a higher duty had been laid upon imported boots. The parties were not agreed as to the amount of the increased duty and the Court concluded that while the trade was in a better condition than before, the benefits derived from the increased duty were not known with sufficient accuracy for an apportionment to be made, "even if it be the function of the Court to apportion them."⁴

¹ Book of Awards, Vol. X, p. 192.

² Book of Awards, Vol. VII, p. 60.

³ Broadhead, p. 61.

⁴ Book of Awards, Vol. X, p. 292.

Production cost has been a factor more seriously regarded. In 1907 an award was given binding the saddlers and harness makers of Canterbury. Two years later the workers petitioned for an increase of wages. The Court admitted that one shilling per hour was a low wage for a tradesman who had served an apprenticeship of five years, but asserted that the bad condition of the trade rendered the low minimum necessary.¹ A very similar attitude was shown by the Court in connection with the claim of the brick, pottery, and tile workers of Canterbury. The union asked for wage rates equal to those paid for similar grades of work in Auckland. Evidence was submitted proving the cost of production of clay in Christchurch to be greater than in Auckland. Judge Sim thereupon refused the request of the workers because in the face of Auckland competition at home, any further advance in wages would have seriously handicapped the employers.² This decision rendered in 1910, is in line with two earlier awards, one given twelve years before in 1898, and the other in 1902. In the first of these, where however, wages were not unduly low, the possible extinction of the agricultural implement manufacturing business and the possible dismissal of many semi-skilled workmen were the grounds for denying unionist demands.³ In the latter award the same danger to the bookbinding trade was realized by Judge Cooper, who said:

"This work is produced in the colony at a very small margin below what it can be imported and sold for, and we have felt that any material additional burden or restriction placed upon manufacturers here will imperil the industry altogether, and that the effect will not be to give more work to local journeymen at higher wages, but to compel additional importations, and to go far to destroy an industry which at the present time affords employment to a considerable number of workers who are not technically journeymen."⁴

From a review of these and other awards it is evident that the Court fixes the wage rates for different classes of labor upon a

¹ Book of Awards, Vol. X, p. 357.

² Book of Awards, Vol. XI, p. 230.

³ Dept. of Labor Journal 6:716.

⁴ Ibid., 10:776.

certain general minimum as a basis. This basis while not strictly determined by the cost of living, yet in a general way conforms to it. For some time 8s. per day was considered as the standard rate for unskilled laborers working eight hours per day, but as Professor Hammond has pointed out, recent decisions seem to indicate that 9s. per day is now accepted as the minimum rate.¹ Occasionally the Court has gone so far as to fix slightly higher wages for married than for single men, although both classes were performing the same kind of work. Such an instance is the Napier Drivers' award of 1909, by which the rate for bakers' drivers when single and twenty-one years of age or over, was fixed at £2 1s. per week, and the similar rate for married men at £2 4s. per week.² While not scientific, the determination of a wage rate is based upon a review of the customary wages of the industry and the general fluctuations in the costs of living and production. Where the interests of the worker and the industry have been in conflict, the Court has endeavored to consider first the interests of the worker, but if possible to affect a compromise disadvantageous to neither party. Above the general minimum already indicated, the terms adopted seem to be as Mr. Paul Kennaday has aptly said, "charging what the traffic will bear." Thus inevitably the Court becomes a tribunal of compromise. Its judgments are influenced by the whole gamut of industrial factors, yet in spite of this, the tendencies and precedents outlined testify that the Court acts not without reason, and indicate the line of probability to future judgments. A stability is thus attained which in some measure makes up for the lack of legislative guidance.

III. THE ECONOMIC AND SOCIAL STATUS OF NEW ZEALAND UNDER THE ARBITRATION SYSTEM.

1. ABOLITION OF SWEATING.

Although the subcontract system as known in London and Victoria existed in New Zealand only to a limited extent according to the Royal Commission of 1890, there is evidence that during the early nineties there was a tendency to systems of work closely

¹ The American Economic Review, Vol. 3, p. 283.

² Book of Awards, Vol. X, p. 73.

resembling sweating as it is commonly understood. Some employers found home work a convenient means of evading legal requirements as to factory sanitation and ventilation. Their piece workers consisted of two classes: married women seeking to eke out their husbands' incomes, and others whose only means of subsistence was the decreasing pittance obtained by competing with one another. The workers were not the only ones to suffer from this iniquitous practice, for respectable factory owners found it difficult to compete in cheapness against products made under such circumstances.¹

It was not the arbitration law which directly attacked the evil, but the Factories Act of 1894. This act made it compulsory for articles made in private dwellings or unregistered workshops to be so labelled when exposed for sale. It made necessary the registration of any workplace occupied by two persons as a factory. The effect of this provision was to confine the manufacture of clothing as far as possible to well-ventilated and wholesome workshops.² But it did not prevent women from obtaining work from unscrupulous employers, for by the payment of one shilling the address of a worker could be registered as a factory. Not until 1901 was the system effectually abolished. In that year subcontracting in textiles to be made up into garments was absolutely prohibited. In 1908 there were in the whole Dominion only eighteen or twenty firms giving out any work at all and part of this was of a semi-charitable description. The effect of this legislation in the language of Mr. Aves, has been to render "the home worker, hardly a factor, much less a problem in New Zealand."³

Aside from sweating as identified with home work, the arbitration law has largely prevented the under cutting of wages by unprincipled employers. Factory inspectors have testified that many of the complaints for breaches of the law come from employers who want their rivals prohibited from unfair competition. Dr. Clark calls attention to specific instances where workmen were asked by employers to bring suits under the act in order to

¹ Report of the Dept. of Labor, 1894, p. 5.

² Report of the Dept. of Labor, 1895, p. 4.

³ Aves, p. 89.

establish fair and uniform wage conditions.¹ The territorial award has also made for uniformity.

Union officials are constantly on the lookout for higher wage awards given in nearby communities, and at once demand the same treatment for their local union. It was this situation which led to the provision for colonial awards in 1903. In this respect the interests of both employers and workers are mutual and both classes have striven to secure equality in competition. In a word, it may be said that the general effect of the law has been to assuage the hostility of employers to the act and insure fairer business conditions. This is attested to by Mr. Percy A. Harris, an English business man who wrote in 1909 as follows:

"Experience has taught the business man wisdom. The honest employer has found himself freed from the unfair competition of the sweater and the mushroom trader and he is able to depend mainly on his brains for success. Wages being uniform, competition has been fairer."²

2. STATE OF INDUSTRY.

In forming an opinion of the effect of the arbitration and factory legislation upon the industrial life of the Dominion, it must be borne in mind that the general causes of New Zealand's prosperity are economic in character. Although many of her prosperous industries are outside the pale of the regulating system, they are not the only ones which have made progress. Beginning with the early nineties we find a period of serious industrial depression caused by the strikes and general unrest of that period. In 1895 a steady upward trend of trade and business set in, which has continued with varying fluctuations down to the present. Mr. Aves has stated that the arbitration and factory laws had little effect upon industry until 1899.³ On January 6th of that year Mr. Reeves wrote to the Times, stating that of the 75 largest financial and industrial companies in New Zealand, 3 paid no dividends, 2 paid 4 per cent., 8 paid 5 per cent., and the remainder or

¹ Bulletin of the U. S. Bureau of Labor, No. 49, p. 1231.

² Percy A. Harris, *New Zealand and Its Politics*, p. 24.

³ Aves, p. 87.

62 of the 75 paid dividends at rates varying from 6 to 17½ per cent.¹

In 1901 the Labor Department reported an increase of business throughout the whole community, mentioning especially the building trades, foundries and engineering shops, clothing and woolen factories, and tanneries and fellmongeries. In the same year Judge Backhouse of New South Wales declared after making his official investigation, "That possibly, with one exception, industries have not been hampered by the provisions of the Act." No evidence was found that the investment of capital had been discouraged, although assertions to that effect were made regarding three large companies. He found the clothing trade to be in a high state of activity and it was his opinion that the coal mining industry had derived a positive advantage from the Act.²

Very similar was the testimony of the Victorian Royal Commission in 1903, and of the French writer, M. Siegfried, who investigated conditions one year later. Concerning the effect of the arbitration act upon individual employers, M. Siegfried said: "No definite instances can be given of any concerns that have been reduced to bankruptcy through the annoyances caused by the Act."³ Agreeing with the main findings of Judge Backhouse, both M. Siegfried and the Commission pointed out the situation of the one prominent industry which did not share in the general prosperity. As in Victoria, the bootmakers suffered from the introduction of improved machinery, which ousted them from their trade, as well as from the growing speed of factory work. But more disastrous in its effect was the glutting of the market by low priced imported goods. Although boots and shoes were protected by an ad valorem duty of 22½ per cent., the imports from Great Britain and the United States steadily increased. It is true that there was also an undue limitation of apprentices and a fixed minimum wage, but employers admitted that the disadvantage of the boot industry was largely due to the competition of specialized processes abroad.⁴ The natural way

¹ Pamphlet copy of a speech by B. R. Wise, Sydney; 1900.

² New South Wales, Report of the R. C. on Compulsory Conciliation and Arbitration Laws, 1901, p. 16.

³ Andre Siegfried, *Democracy in New Zealand*, p. 157.

⁴ Victoria, Report of the R. C. on the Factories and Shops Law, 1902-3, p. 22.

out of this difficulty was to raise the tariff still higher. Whether as a result or not, the Labor Department reported in 1906 that the boot trade had recovered itself. Female machinists for special departments were hardly to be found.¹ Since that time imports have risen but little and the local output has increased year by year. From these facts it is apparent that to special trade influences rather than to legislation must be attributed the handicap of the bootmakers.

In recent years the early era of prosperity has been continued with but few interruptions. The extension of the street car service in the cities, the construction of railways, drainage works, and recreation parks, and the demand for farm laborers all served to keep business buoyant. Many buildings for industrial and commercial purposes were erected in the chief cities of the Dominion. Much money was withdrawn from circulation and boom prices for land were induced. In 1909 a temporary reaction came in what was said to be a reflection of the Wall street panic in the United States. Speculative investment was checked and for the first time in years many members of the building trades found themselves out of employment. The sudden drop in the price of flax caused the closing of many flax mills. Yet in spite of this, work and production still continued in the Dominion as a whole. With the coming of spring the financial stress abated somewhat and the advance in the prices of staple products soon allayed the fear that the depression would be of long duration. While some branches of the iron business remained dull, the building trades gradually recovered their normal status. The value of exports in that year rose by nearly £6,000,000 above imports.² In short, the depression vanished as it had come, independently of the arbitration system.

Turning from the narrative to considerations of a statistical nature without which our discussion would be incomplete, we find a steady line of upward progress. This may be noted by a sketch of the country's exports and also by the increase in number of factories, hands and capital employed, and other similar facts. This data may well be presented by means of tables followed or accompanied by explanatory statements.

¹ Report of the Dept. of Labor, 1906, p. 2.

² Report of the Dept. of Labor, 1910, p. 3.

POPULATION AND EXPORTS, 1894-1912

| YEAR | EXPORTS | | | | | | | | |
|-----------|----------------------|-----------|-----------|---------------|---------------------|------------------------|----------------|------------------|------------|
| | Estimated population | Wool £ | Gold £ | Frozen meat £ | Butter and cheese £ | Agricultural produce £ | Manufactures £ | Other products £ | Total £ |
| 1894..... | 686,128 | 4,827,016 | 887,865 | 1,194,545 | 366,483 | 317,655 | 224,958 | 1,266,626 | 9,085,148 |
| 1900..... | 768,278 | 4,749,196 | 1,439,602 | 2,123,881 | 969,731 | 1,230,565 | 549,342 | 1,992,932 | 13,055,249 |
| 1906..... | 908,726 | 6,765,655 | 2,270,904 | 2,877,031 | 1,901,237 | 270,542 | 988,264 | 2,766,713 | 17,840,346 |
| 1912..... | 1,052,627 | 7,105,483 | 1,345,131 | 3,909,569 | 3,769,202 | 1,060,605 | 636,795 | 3,445,620 | 21,272,405 |

Taking up first some of the leading products exported from the Dominion since the inauguration of regulating legislation, it will be seen from the preceding table that while the quantity of some articles exported has decreased, there has been a general increase in the value of sales to other countries. The annual aggregate value of all kinds of exports has more than doubled since 1894. After 1907 there was a marked decline which according to the figures for intervening years is now being recovered. This decline was probably due in part to the general depression of the period, which had comparatively little effect upon the sources of primary production. As a matter of fact, New Zealand is largely dependent upon her primary products for what commercial recognition she may have abroad. In 1912 her manufactures did not constitute three per cent. of her total exports. While this is true, it is also true that a solid basis is thus afforded for expanding industry. With the constant extension of the cultivation of the soil, there need be no break in the growth of manufacturing enterprise. As the country is self contained by Nature to an exceptional degree, such a condition is well nigh essential to its continuing progress.

Another and a better evidence of industrial development is to be found in a comparison of the statistics of factories and workshops, now, and before the arbitration laws took effect. Two sets of figures may be utilized for this purpose; the first, compiled by the Labor Department is the more inclusive, while the second, based upon the reports of the Census Bureau, is more comparable to the statistics of other countries.

¹ Official year book of New Zealand, 1913, pp. 93, 331.

Number of Factories and Workers from 1895 to 1914 — as given by the Labor Department

| Year | Factories | Factory workers |
|-----------|-----------|-----------------|
| 1895..... | 4,109 | 29,879 |
| 1896..... | 4,647 | 32,387 |
| 1897..... | 5,177 | 36,918 |
| 1898..... | 5,601 | 39,672 |
| 1899..... | 6,286 | 45,305 |
| 1900..... | 6,438 | 48,938 |
| 1901..... | 6,744 | 53,460 |
| 1902..... | 7,203 | 55,395 |
| 1903..... | 7,675 | 59,047 |
| 1904..... | 8,373 | 63,968 |
| 1905..... | 9,123 | 67,713 |
| 1906..... | 9,881 | 70,403 |
| 1907..... | 10,788 | 75,310 |
| 1908..... | 11,586 | 78,625 |
| 1909..... | 12,040 | 78,848 |
| 1910..... | 12,302 | 77,806 |
| 1911..... | 12,768 | 78,790 |
| 1912..... | 12,847 | ..... |
| 1913..... | 13,375 | 86,598 |
| 1914..... | 13,469 | 87,517 |

The table immediately preceding shows the growth of industry according to the tabulations of the Labor Department. These figures conform to the legal definition of a factory, as any place, except buildings in the process of erection, where two or more persons are engaged in any handicraft or operation of manufacture. It will be seen that the number of registered factories has risen steadily year by year until now there are more than three times as many as existed in 1895. The increase in the number of factory workers has not been so rapid but has been quite steady with the exception of the year 1910, and even that loss has now been retrieved. In considering this table the reader must remember that separate buildings belonging to one plant, if at a

¹ Report of the Dept. of Labor, 1914, p. 7.

considerable distance from each other, have often been registered as individual factories. Hence the numbers bulk larger than do those gathered by the Census Bureau, as shown by the following compilation:

¹ *Statistics of Manufacturing Industries*

| | 1891 | 1896 | 1901 | 1906 | 1911† |
|-------------------------|------------|-----------|------------|------------|------------|
| Establishments . . . | 2,254 | 2,459 | 3,163 | 3,495 | 3,519 |
| Hands employed . . . | 25,633 | 27,389 | 41,726 | 49,806 | 45,965 |
| Wages paid | £1,808,640 | 1,907,592 | 3,098,561 | 4,103,536 | 4,705,305 |
| Total capital | £5,261,826 | 5,796,017 | 7,959,631 | 11,814,013 | 14,430,355 |
| Value of product . . . | £3,773,837 | 9,549,360 | 17,141,149 | 22,422,726 | 29,534,642 |

† The figures for certain industries not included in the statistics for the four previous years are deducted from these returns so as to make the table comparable throughout.

It will be seen that according to the above returns the number of factories and employees has almost doubled since 1891. During the same period the amount of wages paid, the total capital involved, and the total yearly output have nearly trebled in value. From 1896 when the arbitration plan was fairly launched, to 1911, the average wage per worker rose from £69 to £102 per year, an increase of 46.9 per cent. Simultaneously the value of the average annual product per operative increased from £348 to £638, a gain of 80.3 per cent., while the average capital employed per worker mounted from £211 in 1896 to £313 in 1911 or 48.3 per cent. It is true that these figures indicate nothing as to the relative profits drawn by master and servant from the operations of industry, but they fairly suggest that the employers of New Zealand have not been overcome by unfavorable economic conditions. After making full allowance for the national prosperity of the period and regardless of which set of statistics we accept, it remains clearly demonstrated that industry has not been strangled by legislation. Rather there has been a consistent trend of upward progress, which by its permanence has tended to encourage the undertakings of capital.

Efficiency in Production

To what extent the efficiency of labor and capital has been promoted or lessened by industrial legislation is a question not admitting of a categorical answer. New inventions, improved pro-

¹ Statistics of the Dominion of New Zealand, Part VI.

cesses of manufacture, and the better organization of labor always make for efficiency. It is claimed in many quarters that one of the benefits of the arbitration system has been to induce these changes more rapidly. Indeed, according to Mr. Aves, many of the employers and workers of New Zealand were inclined to believe that the introduction of new machinery and the subdivision of work had come more quickly for this reason.¹ As regards certain industries, the recent Commission which investigated the cost of living in 1912 was of the same opinion.² To the extent that this has been true, the productive processes have no doubt become more efficient.

But capital is not the only factor to be considered. The efficiency of the individual workman has just as certain an effect upon the total output. Opinion is divided but seems to incline to the view that some of the awards have discouraged the men from putting forth their best efforts. In 1901 Judge Backhouse noted a few instances of men who "soldiered on the job." Dr. Clark also observed that the "government stroke" as it is called there, was universally known. He cites the instance of a man who admitted he could put through fourteen pairs of boots an hour but said that he would be a fool to do more than six.³ No less critical are the observations of Mr. Aves. Twenty-nine out of thirty-six employers testified that the awards has lessened the efficiency of their employees.⁴ Flatly opposed to this idea was the opinion of a smaller number of workers. After weighing the evidence on both sides Mr. Aves expressed himself as follows:

"Failure to reach this standard is, however, constantly mentioned, and although it is difficult to prove or measure, I think the evidence is conclusive that present conditions in New Zealand are tending, so far as adult male workers are concerned, and over a wide field, towards a lower efficiency."⁵

In explanation of this tendency there is the prosperity of industry and the monopolistic position of labor. The frequent attitude of the trade unions has also been urged as a cause. An

¹ Aves, p. 178.

² See *infra*, p. 2041.

³ Report of the U. S. Bureau of Labor, No. 49, p. 1234.

⁴ Aves, p. 180.

⁵ Aves, p. 109.

employee in a furniture factory is alleged to have confessed that he was limiting his output by order of the union. No less influential has been the limitation of piece work by the awards. For some time there seems to have been a disposition on the part of the Court to discourage this mode of payment for services. Many awards prohibit piece work entirely, while others allow it in part. The second carpenters' and joiners' award of Auckland allowed only one piece worker to every three men working on time wages. Likewise a definite proportion of wages men to piece workers has been fixed in the tailoring trades. It is easily seen that this policy does not hold out any inducements for a worker to do his best, yet granted that these explanations are valid, the fact must also be conceded that according to census statistics the value of the annual output per worker has increased over 80 per cent. since 1896. This increased productivity may be due entirely to capital and the management of the employer. It is quite possible that the individual employee is not improving in skill as he should. But up to the present there has been no decrease in the average relative output from this cause.

3. THE ARBITRATION SYSTEM AND THE LABOR MARKET

A. Unemployment

Inasmuch as the history of capital and labor has been so closely related in New Zealand, it will be unnecessary to discuss the fluctuating state of the labor market. That has already been done in connection with the state of industry. But it will not be amiss to consider briefly some of the facts affecting labor from another angle.

As we have already seen, the unemployed have not been conspicuous as a class. It is true that during the early years of the arbitration law there was a considerable number of bona fide workers out of employment. But since the period of early depression, the out-of-works have been mainly the sick, the maimed, the inebriate, and the lazy, people who are always better suited for charitable or correctional treatment than for aid from an employment bureau. In 1903, Mr. Tregear, Secretary of the Labor Department, summed up the situation by saying that

"there was no pressure of the unemployed." How near the truth that statement has been for a succession of years may be seen from the following tables:

¹ TOTAL UNEMPLOYED — 1896-1911

| Year | MALE | | FEMALE | | Total |
|-----------|--------|--------------------------|--------|--------------------------|--------|
| | Number | Per cent of breadwinners | Number | Per cent of breadwinners | |
| 1896..... | 14,759 | 6.15 | 2,637 | 4.97 | 17,496 |
| 1901..... | 8,467 | 3.08 | 1,359 | 2.07 | 9,826 |
| 1906..... | 8,189 | 2.53 | 1,372 | 1.82 | 9,561 |
| 1911..... | 7,152 | 1.97 | 1,203 | 1.33 | 8,355 |

¹ UNEMPLOYED OF THE INDUSTRIAL CLASS

| Year | Number | Per cent of breadwinners | Number | Per cent of breadwinners | Total |
|-----------|--------|--------------------------|--------|--------------------------|-------|
| 1896..... | 7,846 | 11.44 | 750 | 5.66 | 8,596 |
| 1901..... | 3,508 | 4.13 | 377 | 2.31 | 3,885 |
| 1906..... | 3,918 | 3.71 | 464 | 2.51 | 4,382 |
| 1911..... | 3,052 | 2.68 | 335 | 1.69 | 3,387 |

From the preceding data it will be seen that the relative proportion of unemployed breadwinners has greatly diminished both for the industrial class and for all classes of occupations. The last census showed about two per cent. of all classes of male workers to be out of employment. The percentage for men employed in manufacturing pursuits was but little higher, and the relative decrease in unemployment for this class has been much more rapid. A comparison of the two tables shows that it has been the workers in factories and workshops, and not the primary producers, who have suffered most from enforced idleness. Among the groups upon whom the burden has fallen most heavily have been the printers, bookbinders, cabinet-makers, carpenters, and general laborers. Effective assistance has been rendered to all such persons by the employment exchanges of the Labor Department, which in 1912 found work for 5,848 applicants. During the same year positions were secured for 412 married and 1,618 single women.² Many have thus been kept from falling into the unemployed class. Yet granting the influence of this meliorative

¹ From the Census Reports.

² Official Year Book, 1913, p. 686.

agency, the fact that the amount of unemployment has steadily decreased to what it is today, is of outstanding significance in showing that the arbitration act has not caused this form of industrial and human distress.

But unemployment is not the only side of the labor market. There has been a positive phase as well. In 1900 the Labor Department reported that the demand for workmen exceeded the supply. The shortage of female help was such that in many tailoring, clothing, and dressmaking establishments more orders were received than could be executed.¹ Other reports tell the same story. In 1907 the operations of a large boot factory were so hindered by the lack of female workers that the manager had to bring in thirty girls from Leicester, guaranteeing them work for two years at 30s. per week.² Although the number of factory employees has increased yearly, the proportion of women employed has grown constantly smaller.³ While racially this is not without its advantages, it has been a serious economic hindrance.

Another reason for the shortage of the labor supply, emphasized by Prof. Robert Schachner of the University of Jena, has been the general attitude of the people toward an expansion of population either naturally or by immigration. He has pointed out that while immigration is a comparatively negligible factor in the numerical growth of the people, and the relative number of married couples is practically the same as in the European states, the decline of the birth rate has been greater than in any country of the Old World. He assigns the cause of this, as in France, to the will of the people themselves inspired by the fear of a lower standard of living and a surplus of labor.⁴ From 1882-92 the birth rate declined from 37.32 to 27.83 per thousand persons. The lowest level was reached in 1899, since when the rate has become somewhat higher. But in the opinion of Mr. Tregear it must needs be several years until the effects of this

¹ Report of the Dept. of Labor, 1900, p. 1.

² Aves, p. 89.

³ Report of the Dept. of Labor, 1911, Diagram 3.

⁴ Robert Schachner, *Die Soziale Frage in Australien und Neuseeland*, p. 19-23.

decline be overcome, even if the present rate be maintained. Hence he concludes that industry will be seriously thwarted if workers are not found. In his report for 1908 he says:

"I have already alluded to the complaints made by employers as to their business enterprise being cramped through the paucity of hands required to do the work. This shortage is denied by the representatives of labor, who say that if the statement is true at all, it depicts a mere temporary difficulty, and that to introduce workers from abroad would merely be assisting employers to flood the market with surplus labor in order to lower wages. So far as I have been able to gain information, there is a real dearth of effective manual labor; but what is far more important, the Dominion itself will supply less and less for some considerable time. This is owing to the low birth rate, and to the absence of any labor reserve that can reinforce the depleted ranks of the workers as time removes them. * * * The birth rate fell from 41.32 per thousand in 1876-80 to only 27.08 per thousand in 1906. If we take the case of girls of suitable age to work in factories we find that in New Zealand between the years 1891-96 there was an increase of 21.62 per cent. in the number of girls between fifteen and twenty-one years of age. In the next five years the increase had fallen to 6.77 per cent., and in the five years ending 1906 the rate of increase further fell to 1.26 per cent. In regard to still younger girls—those between five and ten years of age—the further want of reserve power for our labor supply is apparent. In 1881-86 there was an increase of girls of the ages mentioned of 24.34 per cent.; in 1896-91 the increase fell to 1.9 per cent.; in 1891-96 there was a decrease of .29 per cent.; in 1896-1901 a decrease of .10 per cent.; and in 1901-6 an increase of 4.81 per cent. Even if this latter increase is maintained, or added to, it will take a long time to make up for the 'lean years' of the previous decade. * * * The figures regarding the boys are very much on the same lines as those of their sisters. Such figures, as the result of twenty years' national growth, are absolutely startling to those who have to take provision for the welfare of the people generally. The difficulty may not be evaded or shirked. Either our industries, instead of expanding, must shrink and disappear, or workers to carry on those industries must be found."¹

¹ Report of the Dept. of Labor, 1908, p. vii.

B. The Apprentice Question

One of the most important problems in its bearing upon the scarcity of labor is that of apprenticeship. Like the question of hours and wages it has been one of the points where the interests of employers and employees come sharply into conflict. The Court has general power to fix the conditions of employment for learners with the restriction that in no case may it "fix any age for the commencement or termination of apprenticeship." Under this provision a fixed proportion of apprentices to a given number of workmen may be established. Directions may also be given for the indenture of apprentices. As many firms found it an economy to employ apprentices equal in ability to journeymen, but without journeymen's wages, the unions exerted all their influence to restrict the number of apprentices allowed for each trade. Between these two contentions the Court has been forced to take a stand. This it did by outlining a general policy in the Wellington grocers' award of 1902. In denying the petition of the union, the Court said in part:

"We have been asked to limit the number of youths to be employed in a grocer's shop. We know of no sufficient reason which can justify us in so doing. There are some occupations where it is advisable to limit youths in number. But there are other occupations where no such limit is either reasonable or necessary, and, as we have said on more than one previous occasion, it is our duty to see that the avenues for suitable work are not closed to the youth of this colony. We owe a duty to the boys and to the community, as well as to the adult workers of the colony, and that duty we must perform to the best of our ability. In practically every occupation the regulation of which has been submitted to this Court we have been asked to exclude youths beyond a limited proportion to the adults employed. That proportion is generally stated at either one youth to three or one youth to four adults employed. Thoughtful workmen, we think, must recognize that if their boys are debarred from obtaining suitable employment in trades from which there is no natural right for their exclusion, a wrong is done to these boys, and the difficulties surrounding the bringing up of a family are very much increased. The interests of

this colony demand that there must be no improper shutting out from a legitimate means of earning a livelihood the youth of this colony; and we think that we are amply justified, in the interests of the working classes themselves, in again emphasizing this principle. While, therefore, we do not in any way limit the employment of youths in this trade, we prescribe a scale of wages to be paid to them according to age, which we think will prevent any abuse."¹

Notwithstanding this declaration of the Court, the unions have continually demanded, and with a good measure of success, the restriction of apprentices in the ratio of one to three or four journeymen. These demands have been made with the object of preventing the creation of a surplus of skilled labor in any occupation, and of warding off the displacement of adult workers by cheap child labor. Unionists have favored the indenturing of apprentices and the Conference of Trades and Labor Councils has repeatedly asked for legislation compelling indentureship in the skilled trades. On the other hand, many employers dislike the idea of being bound down by indentures and prefer a voluntary plan of apprenticeship.

As the arbiter between the demands of labor and of capital, the Court has usually observed the local custom of the trade in the rules made as to indentures. In the skilled occupations a kind of free apprenticeship requiring that a certain period shall be served in a trade before a workman may receive wages as a journeyman has been established. Some awards stipulate that arrangements already existing between employers and the apprentices working for them shall be observed. Often the term of unindentured apprenticeship is extended. In recent years the Court has frequently fixed a term of indentureship at five or six years, with a preliminary period of three months for probation. At the end of the probationary period the employer may either dismiss the youth or take him on as a regular apprentice, counting the preliminary service as a part of the regular term. An instrument is executed in writing by which the employer agrees to be responsible for

¹ Department of Labor Journal, 10:601.

teaching the youth the trade, even to the extent of procuring another master should he be unable to carry on the training himself. In addition to this he agrees to pay the apprentice upon a graduated scale of wages, and at the end of his term to provide him with a certificate of apprenticeship setting forth the time served and his qualifications as a workman. All of these provisions are now made strictly enforceable, which is an improvement over the method formerly in vogue. Indentures of this type are provided for in the Auckland bookbinders' award of 1909, the tailors' award of the same year, and the Auckland lithographers' award of 1910.

In the absence of a definite statute other than the general law of 1865 relating to the form of indentures, the Court has been free to lay down its own rules in regard to apprenticeship. As we have seen, its rulings have varied with the trade concerned and the circumstances involved. Oftentimes the subject is not even mentioned in an award. But the effect of union demands has been to restrict the number of learners allowed. This has been the employers' real bone of contention and much criticism has been directed against the policy because of its evil effects. The Victorian Royal Commission commented upon the question of labor supply in the following language:

"The demand of the workers' unions in New Zealand to restrict boy labor, and to fix the proportion of apprentices at one to three or four journeymen, which as a rule has been recognized by the Court, merely meets their claim to prevent undue competition of low priced labor in the present. It does not touch the larger question of insuring steady and careful training of youths to fit them to become skilled tradesmen * * * *. No effective reform can be looked for until employers and workers alike recognize that their duty, as well as their true interest, lies in establishing and faithfully carrying out a system of technical instruction and training for practical use from the day when the learner applies himself to master the simplest elements of his trade to the day when he can face the world as a skilful and thoroughly equipped journeyman."¹

¹ Victoria, Royal Commission on the Factories and Shops Law, 1903, p. xix.

From our consideration of the apprentice question, it will be seen that the diminished birth rate so graphically described by Mr. Tregear in 1908 has not been the only factor in the shortening of the labor supply. Turned aside from the pursuit of industry, many young men and women have drifted steadily into mercantile callings, banks, offices, and stores. There has been a noticeable tendency in recent years for boys and girls to avoid the factory and seek the office. Indeed, Mr. Lomas, the present Secretary of the Labor Department, has said that he believes this to be one of the chief causes of the dearth of labor in both domestic and factory work. Under these circumstances most of the lower trades have been starved. In 1911-12 there was a shortage of farm hands, but especially of youths both male and female. For this reason many orders were refused by the textile factories, while the fruit canneries and other plants were unable to cope with their work. This situation has existed despite fair conditions as to hours and wages.¹

In view of this dilemma it has been suggested that the situation could be met by importing immigrants, but there are grave doubts whether such a scheme would be successful. Several manufacturers have already advertised in Great Britain for hands but with slight success. The fact is that according to the official English reports, the more skilled workers in the mother country are earning as much and even more than are their brothers and sisters in the Dominion. But an even more weighty reason for the failure of an immigration scheme would be, according to a New Zealand writer, the intense opposition of the workers themselves. Imbued with selfish economic ideas they "have always opposed tooth and nail any movement on the part of the Government to encourage men of their own class to come to the country."² This opposition has even extended to the recent efforts of the Government to attract farm laborers, but it is still more emphatically directed against the importation of factory workers.³ This antagonism is primarily due to a practical belief in the long

¹ Report of the Dept. of Labor, 1911, p. vi.

² G. H. Scholefield, *New Zealand in Evolution*, p. 221.

³ Andre Siegfried, *Democracy in New Zealand*, p. xvii.

since exploded theory of a wages fund. M. Siegfried thus characterizes the view point of the New Zealand workmen: "There is a cake to be divided,' they think; 'let us be as few as possible when the division comes.'"¹ Shortsighted as such an attitude may seem, it is a most serious factor to be reckoned with.

In this brief discussion beginning with the lot of the unemployed, we have seen that the position of labor under the arbitration law has been influenced by such factors as the prosperity of industry, the low birth rate, the restriction of apprentices, and the opposition to immigration. It is not to be denied that there is always a small percentage of would-be workers who for various reasons are unemployed. At present many casual and unskilled laborers are idle because of the recent extensive strikes. But taken as a whole, the problem of unemployment has been overshadowed by the greater problem of how to secure labor. What ever effect the arbitration law has had upon the welfare of the laboring classes in New Zealand, it has not thrown men out of work. Its effect if any, has rather been to steady the permanence and continuity of employment.

4. WAGE STANDARDS AND THE COST OF LIVING

A. Increase of Wages — General and Trade Statistics

As might naturally be expected in view of the revelations made by the Sweating Commission relative to the low wages paid during the early nineties, the awards of the Court were at first largely in favor of the employees. Profits were increasing with the improvement of business, and a rise in wages was practically inevitable. From 1896 to 1906 the average wage of all persons employed in factories and workshops increased eighteen per cent. The average increase for males and females was respectively 13 and 9 per cent. according to the figures of the Registrar General. Because some trades had been so underpaid there was a good margin for possible advances in wage scales. Some union secretaries became professional agitators living upon salaries recouped in part from higher wages granted by the Court.

¹ Andre Siegfried, *Democracy in New Zealand*, p. 211.

Although many awards have left the conditions of industry unaltered, the policy of the Court has been in the main to continue to fix wages and hours at a higher level. In 1912 there were but three cases in the whole series of awards in which wages had been decreased or hours increased.¹ There is no accurate way in which to measure the effect of these awards, but a comparison of census statistics indicates the trend of rising wages. From 1896 to 1911 the average wages of men in all classes of manufacturing enterprise increased from £77 5s., to £115 2s. per year, a gain of forty-nine per cent. The average remuneration of women increased 69.5 per cent. during the same period, while the percentage increase for both sexes was 42.3. When specific industries are considered, it will be seen that the gains have often been even greater, especially in the flax, and rope and twine mills. The following tables give the wages in detail for fifteen selected industries. In considering these figures, it must be borne in mind that they are not the averages for adults only, but for workers of all ages. Another fact to be remembered is that in 1911, the census year, industry was just emerging from a period of depression. Hence the figures for that year are somewhat lower than they otherwise would be.

TABLE No. 19
TOTAL AND AVERAGE WAGES PAID ANNUALLY, 1896 AND 1911:
All factories and works

| CENSUS YEAR | MALES | | | | FEMALES | | | | ALL EMPLOYEES | | | |
|----------------|-----------------------------|---------------------|-----------------|---|-----------------------------|---------------------|-----------------|----|-----------------------------|---------------------|-----------------|----|
| | Number of em- ployees | Total wages £ | AVERAGE WAGE | | Number of em- ployees | Total wages £ | AVERAGE WAGE | | Number of em- ployees | Total wages £ | AVERAGE WAGE | |
| | | | £ | s | | | £ | s | | | £ | s |
| 1896..... | 22,986 | 1,776,076 | 77 | 5 | 4,403 | 131,516 | 29 | 17 | 27,389 | 1,907,592 | 69 | 12 |
| 1911..... | 42,267 | 4,865,426 | 115 | 2 | 13,967 | 706,844 | 50 | 12 | 56,234 | 5,572,270 | 99 | 2 |

¹ Summary of Awards, Recommendations and Agreements, 1912, p. 19.

² Figures from the census reports of New Zealand.

TABLE No. 20
TOTAL AND AVERAGE WAGES PAID IN SELECTED INDUSTRIES IN 1896 AND 1911¹

| INDUSTRY | Census | Number of employees | Total wages £ | AVERAGE WAGES | | Per cent increase in average wage |
|----------------------------------|--------|---------------------|---------------|---------------|----|-----------------------------------|
| | | | | £ | s | |
| Butter and cheese..... | 1896 | 576 | 40,157 | 69 | 14 | ..... |
| | 1911 | 1,504 | 170,065 | 113 | 1 | 62.2 |
| Breweries..... | 1896 | 465 | 57,327 | 123 | 5 | ..... |
| | 1911 | 741 | 109,544 | 147 | 16 | 19.9 |
| Aerated water..... | 1896 | 347 | 21,445 | 61 | 16 | ..... |
| | 1911 | 570 | 62,937 | 110 | 10 | 78.8 |
| Saw mills..... | 1896 | 4,059 | 323,223 | 79 | 12 | ..... |
| | 1911 | 6,877 | 774,402 | 112 | 9 | 41.2 |
| Brick, tile, and pottery..... | 1896 | 455 | 28,229 | 62 | 0 | ..... |
| | 1911 | 966 | 112,328 | 116 | 5 | 87.5 |
| Printing and bookbinding..... | 1896 | 2,351 | 216,302 | 92 | 0 | ..... |
| | 1911 | 4,222 | 490,246 | 113 | 14 | 23.5 |
| Agricultural implements..... | 1896 | 581 | 44,581 | 76 | 14 | ..... |
| | 1911 | 646 | 81,026 | 125 | 4 | 63.2 |
| Coach building and painting..... | 1896 | 807 | 57,377 | 71 | 2 | ..... |
| | 1911 | 1,439 | 149,806 | 104 | 2 | 46.4 |
| Tanneries and fellmongeries..... | 1896 | 1,629 | 116,983 | 71 | 16 | ..... |
| | 1911 | 1,372 | 136,875 | 99 | 15 | 39.5 |
| Woolen mills..... | 1896 | 1,416 | 91,619 | 64 | 14 | ..... |
| | 1911 | 1,410 | 137,161 | 97 | 5 | 51.8 |
| Flax mills..... | 1896 | 647 | 17,544 | 27 | 2 | ..... |
| | 1911 | 1,244 | 143,895 | 115 | 13 | 326.7 |
| Saddlery and harness..... | 1896 | 266 | 15,904 | 59 | 15 | ..... |
| | 1911 | 594 | 62,482 | 105 | 3 | 75.9 |
| Rope and twine..... | 1896 | 150 | 6,840 | 45 | 12 | ..... |
| | 1911 | 190 | 20,377 | 107 | 5 | 137.4 |
| Furniture..... | 1896 | 496 | 34,044 | 68 | 12 | ..... |
| | 1911 | 1,689 | 178,042 | 105 | 8 | 53.6 |
| Clothing, boots and shoes..... | 1896 | 4,407 | 210,463 | 47 | 15 | ..... |
| | 1911 | 5,009 | 367,445 | 73 | 7 | 53.6 |

The Minimum as the Maximum Wage

Partially because the general wage standard has been lifted since the inception of the arbitration law, it has been claimed that

¹ Figures from the Census Reports of New Zealand.

the minimum wage fixed by many awards has become the maximum. Where a high minimum is fixed there may be a tendency for this to be the case. Dr. Clark observed "that the relation of the maximum to the legal minimum wage varies in different trades with different local conditions and with the more or less perfect adjustment of the individual awards to the conditions and customs of the industry they cover."¹ In the main the Court has not endeavored to lift wages arbitrarily upon a wholesale plan, but has fixed minimums conditioned upon the prosperity of an industry as well as upon the needs of the worker. Consequently, the great bulk of wage rates has been fixed by the employers above the minimums of the Court. The most conclusive evidence upon this point is furnished by the Labor Department, which has made a thorough investigation of this question. In 1910 the wages of 7,374 adult workers were compared, of whom over 62 per cent. were paid in excess of minimum rates. The Secretary of Labor says:

"However, there is sufficient evidence to show that in our manufacturing industries at least an average of 50 per cent. of the workers compared received more than the rate granted in the awards of the Court of Arbitration. Such a result must be exceedingly gratifying to those interested in the industrial legislation of the Dominion, especially in view of the fact that opponents of the act have stated in and out of season that the majority of workers are receiving only the minimum wage, and that the work accomplished by the first class man gets no more recognition than that of the ordinary employee who makes no special effort to deserve extra monetary reward. If this allegation is true in regard to workers outside manufacturing industries—which I very much doubt—the figures quoted by the department in this report hardly bear out the contention in regard to many of our leading manufacturing industries. I find in regard to the cities the returns show that in Auckland, out of 2,119 employees compared, 782 receive the minimum rate and 1,337 in excess, equal to 63 per cent. In Wellington, 1,513 employees have been compared, 535 of whom receive the minimum rate and 978 in excess of the minimum or 64 per cent. In Christ Church, 2,367 have been compared, 869 of whom receive the

¹ Bulletin of the U. S. Bureau of Labor, No. 49, p. 1207.

minimum rate and 1,498 in excess of minimum or 63 per cent. In Dunedin, 1,375 employees have been compared, of whom 599 receive the minimum and 776 in excess of the minimum, or $56\frac{1}{2}$ per cent."¹

It is thus evident that the Court has ever had regard to the economic status of industry and found the justification for what high minimums it fixed, in business prosperity. It is undeniable that at the outset the Court was a very effective instrument in raising wages. Since that time it has doubtless been a contributory factor in lifting standards, but the key to higher remuneration and shorter hours is to be found in the general progress of trade. Because the Court has not attempted the impossible, but has stood for conservative progress, the conditions and terms it has fixed have not crystallized as obstacles in the way of future industrial growth.

B. Production Costs, Prices, and the Cost of Living

In New Zealand as in other parts of the world, the rise of wages has been accompanied by a rise in prices and the cost of living. The causes advanced for this general increase have been as numerous here as elsewhere. Opponents of the arbitration law declare it to be the chief source of mischief. Complaints have repeatedly been made that coal costs more on account of the high wages of miners; that buildings are more expensive because carpenters, painters, and plumbers must be paid at a higher rate than they formerly were; and that the millers have raised the price of flour owing to the wage awards of the Arbitration Court. The Victorian Commission practically admitted these charges with the defense that the marked prosperity of the Colony permitted the employer to transfer to the consumer the cost of higher wages with but little appreciable effect. It was furthermore claimed that the workman at once put this added wage into circulation again by purchasing additional food and clothing and little luxuries that he would not otherwise obtain.

The most valuable source of information upon the problem of prices and living costs is the report of the Royal Commission on

¹ Report of the Dept. of Labor, 1910, p. xii.

the Cost of Living in New Zealand, published in 1912. The Commission consisted of eight very substantial members and was headed by the former Secretary of Labor, Mr. Tregear. Its findings were embodied under thirteen distinct heads and covered in detail the various factors influencing prices and production costs. Considerable weight may therefore be given to its opinions.

The specific effect of labor legislation upon the cost of production was one of the subjects of inquiry pursued by the Commission. It was found that in some trades, such as the coal industry, the labor cost of production had undoubtedly increased. From 1901 to 1910 there was an increase of nearly a shilling per ton in labor cost, while during the same period the price of coal to the consumer was reduced by no less than five per cent. In explanation of this fact, the managing director of the Westport Coal Company declared that while the effect of the awards of the Arbitration Court was to increase wages, the company had cut its profits so as to sell coal at a lower price. Pushing the principle a little further the Commission stated: "That the necessity to preserve profits threatened by the conditions imposed by labor legislation generally has been a factor in stimulating the introduction of up-to-date machinery and improved methods, and has thus tended directly for efficiency."¹ It is evident from this statement that competition brought on through the effects of labor legislation has necessitated special efforts to "tempt demand." This effort has frequently taken the form of price reduction, which has been energetically fought by certain trade combinations.

Whether due to their efforts or not, it is undoubtedly true that the cost of certain manufactured articles to the public has increased. It is difficult to say in these instances whether the increase in price preceded or followed the increase in wages. The latter view is supported by the experience of the coal trade, while the experience of the boot trade apparently justifies the former. In many instances where the effect of wage increases was investigated, it was found that employers had increased prices to the public far beyond the wage increase granted. This would seem to support the opinion of Mr. Aves, that when profits can be cal-

¹ New Zealand, Cost of Living Commission, 1912, p. xxxiv.

culated on a percentage increase of the total cost, the actual amount of profit is apt to become higher, the higher wages are raised. Yet taking into consideration these examples of apparent extortion, the Commission believed it "reasonable to assume that prices generally have not been arbitrarily inflated as the result of labor legislation."

There is ample evidence that the cost of living to the average person has materially increased during the last decade or two. The index of wholesale food prices in New Zealand indicates a rise of 20 per cent. in the cost of these articles between the triennial period 1894-96 and the year 1911. If retail prices are taken into account, it is seen that the cost of living in Auckland has increased about 23 per cent. from 1904-6 to 1910. After a thorough analysis of the evidence and as far as possible making allowance for the change in quality of articles consumed, especially in the matter of rent, the final conclusion of the Commission was that the cost of living over the whole Dominion between the middle nineties and the present day must have increased at least 16 per cent. The factors in this increase were studied in detail and are much the same as those enumerated by the reports of other similar investigations. Among the important ones are increased taxation, protective tariffs, increased cost of distribution, rural depopulation abroad, and the slackened rate of production of foodstuffs in countries such as the United States which have hitherto exported a large proportion of their produce, the national waste involved in extravagant living, the influence of monopolies and trusts, and the increased supply of money including gold and credit. The latter was thought to be one of the most general causes of the higher level of prices as evidenced by the fact that the supply of money had been outstripping the volume of trade.

Another factor of considerable importance but incapable of measurement, has been the influence of trusts on prices. The first step toward combinations of this character was noticed by Mr. Aves in the formation of employers' associations for separate industries. The present Merchants' Association is a powerful outgrowth of those early beginnings. Although it refused to give any evidence, satisfactory proof was obtained that the Association had secured control and fixed higher prices for about thirty articles

in common use. A conspicuous example of such an article is sugar. It is significant to note that in no case have charges been reduced as a result of the combination.¹ Yet while the influence of trusts is not to be minimized, it is apparent that the higher cost of living cannot be attributed to any single factor or combination of factors. The demand of the world's markets for wool, meat, and dairy produce, and the excellent quality of the Dominion product in these lines had the effect of enhancing their price in the home market and increasing the value of land. Rents were thus increased in country and town. Immediately the demand was made of industry for higher wages. As the wage scale was gradually lifted with the aid of the Arbitration Court, the subsidiary expenses of production increased with the result that efficiency was increased or the added cost of production was transferred to the consumer. As a natural outcome it was necessary to raise the tariff wall still higher to protect industry against the competition of cheaply produced foreign articles. Thus there has been a continuous circle of causes operating to keep living costs in the ascendant.

The extent to which wages keep pace with the cost of living is one of the fundamental questions relative to that object. The study of the Commission has shown that wages and prices in New Zealand have pursued almost parallel courses for the greater part of the last twenty years. The higher wages paid have been sufficient not only to preserve the old standard of living at the increased prices, but to add considerably to the comforts and common luxuries consumed. This is attested by the fact that the present relative outlay on other items than the bare necessities of life is much greater than it was formerly. The general conclusion reached is that while the standard of living has risen very considerably, it has risen because of the growing surplus of income left after paying the cost of living.²

Although the rise of prices and the rise of wages have both been pronounced, it is evident as we have seen, that the condition of the wage earner has improved since the arbitration law went into effect. Isolated as it is from the rest of the world, New Zealand

¹ Cost of Living Commission, 1912, p. civ.

has been free in a large measure to regulate its industrial conditions by legislative enactment. Where the expenses of production have been increased, the charge has either been met by the increased efficiency of productive methods, by diminished profits for capital, or by increased prices to the consumer. It is interesting to know that the price level of the Dominion did not rise to anything like the degree it did in most other countries between the decade 1890-99 and the year 1910. Yet during this period manufacturing enterprise was sheltered by a tariff wall which time and again was pushed higher. The reductions of 1907 were followed by falling prices except where monopolies were in control. As yet the industries of the country have not nearly reached the limits imposed by the home market, but when they do, recourse must be had to more extensive specialization as a preliminary step to meet serious competition in foreign markets. Meanwhile higher returns for labor may mean additional charges upon the local consuming public. That this is recognized and cheerfully accepted by the people is the best indication that the arbitration law is fulfilling its purpose as part of a great social program. The following statement of a New Zealand writer summarizes in an excellent way the willingness of the people to pay the costs for the betterment of society:

"Critics are prone to the mistake that New Zealanders do not know that these social experiments and this fiscal protection are increasing the cost of living. In point of fact they do know it, and they tolerate it because they are willing to make sacrifices for the sake of preserving fair social conditions. All classes in New Zealand are in favor of arbitration, because it has immeasurably improved the condition of the workers and put decent limits to industrial competition. Practically all classes believe in a measure of protection, because they understand that without it certain industries cannot exist, and if they succumb there will be a relapse to the social condition of twenty years ago."¹

5. THE EFFECT OF THE LAW UPON ORGANIZATION

Inasmuch as no group of workmen can secure any advantages under the act unless organized in an industrial union, the growth

¹ G. H. Scholefield, *New Zealand in Evolution*, p. xii.
See also, Andre Siegfried, *Democracy in New Zealand*, p. 159.

of organization has been a natural result. This has been true not only of employees as a class but of employers as well. The employing classes at first held aloof from the act and in 1896 there was but one employers' union having a membership of fifteen. This is in marked contrast to a membership of 4,700 in 1913 enrolled in 134 different unions. The figures for the workers are no less striking, there now being 372 unions with 71,544 members. The growth in the number of union members, accelerated in 1900 by more liberal definitions, has continued steadily from year to year. At the same time there has been no impetus to the growth of trade unions as such. In fact, Judge Backhouse reported that the number of regular trade unions was falling off.¹ It is not strange that this should be the case as the industrial unions as now constituted are sufficient for all the purposes of organized effort. The following table shows concretely the increase in the number of both employers' and workers' unions.

² NUMBER OF UNIONS AND MEMBERSHIP — 1896-1913

| | Employers | | Employees | |
|------------|-----------|---------|-----------|---------|
| | Unions | Members | Unions | Members |
| 1896 | 1 | 15 | 75 | 8,230 |
| 1898 | 12 | 849 | 103 | 12,515 |
| 1900 | 33 | .... | 133 | 14,481 |
| 1902 | 68 | 1,824 | 219 | 23,768 |
| 1903 | 103 | 3,080 | 258 | 27,640 |
| 1904 | 109 | 3,292 | 273 | 30,271 |
| 1905 | 113 | 3,276 | 261 | 29,869 |
| 1906 | 109 | 3,337 | 274 | 34,978 |
| 1907 | 121 | 3,630 | 310 | 45,614 |
| 1908 | 122 | 3,918 | 325 | 49,347 |
| 1909 | 120 | 3,702 | 308 | 54,519 |
| 1910 | 118 | 4,262 | 308 | 57,091 |
| 1911 | 118 | 4,251 | 307 | 55,629 |
| 1912 | 123 | 4,410 | 322 | 60,622 |
| 1913 | 134 | 4,700 | *372 | *71,544 |

¹ New South Wales — Royal Commission on Compulsory Conciliation and Arbitration laws, 1901, p. 10.

² Statistics for 1896-1902 from Bulletin of the U. S. Bureau of Labor, No. 49, p. 1226. Remainder from the Official Year Book of New Zealand, 1913, p. 675, and the Report of the Dept. of Labor, 1914, p. 16.

* See *infra*, p. 810.

An analysis of the membership of workers' unions by trades affords a basis for some interesting comparisons. Gains are evident in the building and wood-working trades, in the mining industry, and in the agricultural occupations. The increase of membership in the transport occupations is in the main only apparent. It is largely due to new registrations made during the recent strike before the previous registrations were cancelled. There has also been a decrease of union membership in the iron and metal trades and in the clothing and food producing industries. The situation for the past two years is as follows:

¹ DISTRIBUTION OF MEMBERSHIP OF WORKERS' UNIONS

| Trades | Number of Members | | |
|------------------------------|-------------------|--------|--------|
| | 1911 | 1912 | 1913 |
| Agriculture | 4,531 | 4,680 | 5,207 |
| Building and wood-working... | 8,730 | 10,893 | 11,268 |
| Clothing | 4,733 | 4,119 | 4,524 |
| Iron and metal | 3,717 | 3,192 | 2,542 |
| Shipwrighting | 181 | 170 | 176 |
| Light, heat and power..... | 104 | 120 | 308 |
| Food | 8,382 | 7,525 | 8,076 |
| Mining | 2,698 | 2,822 | 3,788 |
| Printing | 1,246 | 1,568 | 1,681 |
| Transport | 13,501 | 13,266 | 21,766 |
| Leather | 1,128 | 2,434 | 2,236 |
| Stone, clay, etc. | 331 | 484 | 435 |
| Miscellaneous | 6,347 | 9,355 | 8,813 |
| Amusements ..... | ..... | ..... | 724 |
| Totals | 55,629 | 60,622 | 71,544 |

The fortification of the position of the working classes has not been the only result of the arbitration law as concerns organization. While firms and the heads of companies have organized in employers' unions, there has been an organization no less active

¹ Official Year Book of New Zealand, 1913, p. 675, and the Report of the Dept. of Labor, 1914, p. 18.

into employers' associations. These bodies, similar to the National Association of Manufacturers of this country, have been called into existence for the purpose of safeguarding the interests of employers and combating the efforts of labor to secure higher wages and shorter hours. In recent years some of them have combined to secure even greater control, and have concentrated their efforts toward restricting the field of legitimate competition. The desire for closer organization is frankly admitted by employers. Mr. Aves found by a special inquiry that both employers and employees believed the formation of employers' associations to be accelerated by the act.¹ Whether the activities of such organizations are advantageous to the public is doubtful, but their existence is practically inevitable.

IV. CONCLUSION

In concluding our observations upon arbitration in New Zealand, it may be well to recapitulate some of the statements already made. Created during a time of industrial unrest with the object of securing the abolition of strikes, the arbitration law has furnished a means for peaceful collective bargaining in the former conciliation boards and the present conciliation councils. Strikes have not been abolished but have been restricted. Attacks upon the system of compulsory arbitration, while sometimes general, as that of Mr. Broadhead in his recent book upon New Zealand's labor situation,² have more often been confined to weaknesses in the process of administration or to the scope of the act. It is true that preference to unionists, the apprentice question, and the permit system have been subjects of controversy. But what reform measure of any consequence has ever survived without criticism? If the Court has not raised wages to meet all the demands of labor, neither has it thwarted the expansion of industry. It has been the cause of generally raising wages to a small extent, and has established crudely the cost of existence as the minimum standard of remuneration. It

¹ Aves, p. 202.

² H. Broadhead, *State Regulation of Labour and Labour Disputes in New Zealand*, 1908.

has shortened hours and given payment for overtime. It has steadied business and helped to bring prosperity to employer and employee alike. On the other hand, it has not prevented in certain districts almost the whole value of a rise in wages being absorbed by an increase in the rents of dwellings. Slight wage increases have sometimes been made the pretext for inordinate exactions in the price of food. But the cost of living has not outstripped the reward of toil and the well being of the masses is further advanced now than it was twenty years ago. Sweating has been definitely abolished. Competition has been put upon a fairer plane. Female workers have been put upon a level vastly superior to that of the pre-arbitration days and thus have been largely disarmed as the industrial competitors of men. The act was not intended to solve problems of rent, land values, the tariff, and taxation. It was intended to secure industrial peace, and in this it has been but partially successful. Its sphere of operation as Mr. Reeves early foresaw, has greatly widened until now it involves the regulation of a whole series of problems affecting labor. Whether or not this is justifiable in theory depends upon one's attitude in regard to the scope of state interference. But in practice this thorough-going system has afforded a means to carry on industry with less frequent recourse to the crude and sometimes dangerous weapons of industrial war. Gradually the Victorian and the New Zealand systems have grown more similar in their operation until today each one is performing much the same work. This has been noted by writers of various nations including the French authority, Albert Metin. In concluding his discussion of the two Australian inventions, he said in 1910:

"In all respects and with hardly any difference in the point of departure, the wages boards and the arbitration court must be approaching. These institutions are different in kind but their spirit is the same; they are pointing to ends which most of the European governments do not believe they ought to follow and these are the two characteristics of the most original of the industrial legislation of Australasia."¹

In forming an estimate of the success of the arbitration law in operation, its first reception should not be lost sight of. Mr.

¹ Albert Metin, *Le Socialisme sans Doctrines*, p. 218.

Hugh H. Lusk, formerly a member of the New Zealand Parliament, graphically described the welcome given to the new law in his testimony before the United States Industrial Commission in 1901. He said in part:

"It must be remembered that the compulsory arbitration law of New Zealand had scarcely a friend in that country outside the band of men in its Parliament who felt that something must be done to avert private wars in the country, and thought the new experiment worthy of a trial. The law was denounced by the employers as oppressive and tyrannical, absolutely certain to drive capital out of the country, and to discourage industry within it. It was also denounced by the leaders of the labor organization as a cunning scheme to take from labor its best and indeed the only weapon by which it could hope to improve its position. For months nobody even qualified in the legal way, by registration as an organized body, with a view to taking advantage of its provisions, and its enemies were ready to laugh at its hopeless failure. Experience alone—at first on a very small scale indeed—on the part of those for whose benefit it was primarily intended brought the law into prominence, and gradually into universal operation throughout the country. A special feature of the law was that it offered itself to but did not force itself upon the people most nearly affected by its provisions; and the fact that year by year it has been appealed to more universally may be taken as the highest possible tribute to its usefulness."¹

The progress of industry and the position of labor since the advent of this law have already been discussed. At first the act was only invoked by the workers, but in recent years it has been appealed to again and again by employers. Used as an instrument to procure uniformity of trade conditions, it has naturally been open to the charge of standardizing wages and raising prices. There is no doubt some truth in each claim. Various factors such as the local monopoly of a particular trade, the independence of foreign markets, the keenness of competition, the extent to which wages enter into the cost of production as contrasted in the carrying trade and woolen manufacture, the degree to which organized relationships have prevailed in the past, the equality in the opera-

¹ Report of the U. S. Industrial Commission, 1901, Vol. VII, p. 703. See also, Hugh H. Lusk, *Social Welfare in New Zealand*, p. 83, 87.

tion of an award as between large and small employers, the rigidity of regulations regarding piece work, the point at which the legal minimum is fixed, these and other conditions have been influential in determining the effect of each particular award. Under certain circumstances the economic rewards of both capital and labor have been more or less seriously disturbed. Workmen have sometimes been thrown out of employment and capitalists have complained of the decreased efficiency of the individual workman.

These facts should be frankly admitted as in some measure incidental to this general plan of industrial control. It should also be remembered that the workers who first unanimously supported the law because of its results for labor, later have been discontented with it for the same reason. Employers likewise voiced its praises when awards began to be made in their favor.¹ But such an attitude is only human. Over against these darker phases of the picture must be set the outstanding achievements of the act. Although it is true that the system has in the main experienced a period of prosperity, times of depression have come and gone. Weaknesses have thus been clearly revealed and necessary modifications have been made. Through it all the principle of controlling industry for the welfare of the community has been preserved.

After making an extensive first-hand study of New Zealand conditions, Mr. Henry Demarest Lloyd, in 1900, summarized his opinion upon the working of the arbitration law. Of the twenty-two conclusions which he stated at that time, the following are the most pertinent to the situation at present:

- "(1) Wages and terms have been fixed so that manufacturers can make their contracts ahead without fear of disturbance.
- (2) Workingmen, too, knowing that their income cannot be cut down nor locked out, can marry, buy lands, build homes.
- (3) No factory has been closed by the act.
- (4) Trade unions are given new rights, and are called upon to admit all competent workingmen in the trade.

¹ Siegfried, p. 152.

- (5) Compulsion in the background makes conciliation easier.
- (6) Compulsory publicity gives the public, the real arbitrator, all the facts of every dispute.
- (7) Salaried classes as well as wage-earners are claiming the benefits of arbitration.
- (8) Peaceable settlement with their men has been made possible for the majorities of the employers who wanted to arbitrate, but were prevented by minorities of their associates.
- (9) Humane and law-abiding business men seek the protection of the law to save themselves from destruction by the competition of inhumane and law-breaking rivals.
- (10) The weak and the strong are equalized both among capitalists and the workingmen.
- (11) The victory is given as nearly as possible to the right instead of to the strong, as in war.
- (12) The distribution of wealth is determined along lines of reason, justice, and the greatest need, instead of along lines of the greatest greed.
- (13) Democracy is strengthened by these equalizations.
- (14) It furnishes the people their only cheap, speedy, and untechnical justice."¹

There are certain questions upon which it is impossible to draw final conclusions. Among these are the effect of the arbitration law upon the industrial efficiency of both employer and worker, the depersonalising influence upon the relationships between the working and employing classes, and the ultimate effect of increasingly burdensome awards upon the tariff and the future development of industrial enterprise.

There are other problems but partially solved. No adequate and rational solution of the apprenticeship question has yet been reached. There is practically no provision for industrial training as it is generally known to-day. The basis of the minimum wage and other award conditions has never been accurately defined, either by statute law or judicial interpretation. The method of caring for semi-competent workers may still be improved upon.

¹ Henry D. Lloyd, *A Country Without Strikes*, p. 178-80.

For the solution of these problems, the size of New Zealand, its isolation, its wealth, and the comparative simplicity of its industrial life give promise. Compulsory arbitration is a part of a great plan to make the masters and servants of industry mutual workers for the public good. Progressive taxation, land resumption, public ownership of certain utilities, and labor regulation are all units in this program. Women in factories may not be worked more than forty-four hours per week. Girls and children are protected from too exhausting toil. Education is compulsory. Old age is kept from penury. The ideal of these people is well expressed in the words of their noted one-time leader, Mr. Reeves: "I would rather that New Zealand had a million inhabitants, happy, prosperous and satisfied, than two million living many of them in dirty streets of black hovels, in the midst of dreary poverty."¹ They have emphasized a fair living chance to the individual above a great economic development. Arbitration is thus but one link, though a most important one, in a great chain of measures devised to hasten the day of a socialized society. Whatever its defects and deficiencies, it is worthy of serious consideration as an attempt to light the way to a solution of one of our greatest economic and social questions.

¹ Siegfried, p. 108.

CHAPTER III

New South Wales

[2053]

I. SOME OUTSTANDING FEATURES OF LIFE IN NEW SOUTH WALES

1. EXTERNAL PHYSICAL FACTORS

Although Victoria is perhaps the most popularly known state of Australia, in many ways it is outclassed by its sister state, New South Wales. Bordered on the north, west, and south by the states of Queensland, South Australia, and Victoria, New South Wales faces the South Pacific ocean to the east with a coast line 700 miles in length. This represents 443 square miles of hinterland to one mile of coast line as against an average of 261 to 1 for the whole continent of Australia. Naturally this fact carries with it a potential advantage in shipping, New South Wales having a far larger tonnage of direct and indirect commerce than any other Australian State. Extending 756 miles from east to west, and 683 miles from Point Danger on the north to Cape Howe on the south, it comprehends an estimated area of 310,367 square miles, exclusive of Lord Howe island. Roughly speaking, it is a little over two and one-half times the area of Great Britain and Ireland, over three and one-half times the area of Victoria, about one-half the size of Queensland, its neighbor on the north, and something more than one-tenth of the total area of the Commonwealth.

The low latitude in which most of the country lies conduces to a wide range of temperate climate. The cycle of seasons is just the reverse of that in the United States. The summer months are December, January, and February, while winter holds forth during June, July, and August. The rainfall is quite variable, but in general the wet season extends over the first six months of the year. The wide range of climate and of soils renders possible the cultivation of plants native to cold, temperate, and even tropical regions. Although very few parts of the state are utterly incapable of cultivation, the eastern and central sections are most suitable for farming operations. The rainfall here will admit of the successful cultivation of about 50,000,000 acres under ordi-

nary conditions. When we remember that exclusive of the surface covered by rivers and lakes, the state comprises 195,669,000 acres, and that in 1912 only 4,748,934 acres were under actual cultivation, we can see that only a beginning has been made in the settlement and subjugation of the land to human use.¹

2. CHIEF PHASES OF PRODUCTION

Agriculture

The cultivation of crops is carried on largely in conjunction with grazing operations. Purely agricultural production is mainly confined to the alluvial valleys of the coastal rivers. Tenant occupancy is but little known; of the total area cropped in 1912, 84.8 per cent was cultivated by owners and the remainder by tenant occupiers including Crown land lessees. In that year there was produced over four million pounds worth of wheat, and hay and straw to the value of more than two million pounds. These are the main agricultural products, although other grains, garden crops, and potatoes are well represented. Vying with agriculture in importance, are the pastoral industries. Cattle and sheep are raised in larger numbers than any other live stock, and as in New Zealand, wool is one of the chief products, constituting nearly one-half of the value of domestic exports. It is evident that agriculture and the pastoral industries are vitally essential to the prosperity of New South Wales.

Mining

Quite as important to the development of the state as the industries already mentioned are its mineral resources. There are large beds of marble, limestone, slate, and other building materials in several parts of the state. Because of the cost of quarrying and transportation, local marble suffers a handicap as compared with importations, but this may be a factor in conserving a much needed future supply. The deposits of lead, copper, zinc, and silver are not to be forgotten, but it is in the production of coal that New South Wales holds the premier place in Australia. It is the chief source of supply for the Commonwealth, its mines yielding annually nearly nine million tons valued at over three million pounds. Closely related economically to manufacturing enterprise, the mining interests are also one of the chief concerns

¹ Statistics from the Official Year Book of New South Wales, 1912.

of industrial legislation, for they furnish employment to one-third as many persons as are employed in the factories of the state. Their significance in this respect will be shown more fully later on.

Manufacturing

Although New South Wales is seldom thought of as a manufacturing state, it has practically the same number of factories and workers engaged in manufacturing processes as has Victoria. Industrial production, though still in its infancy, has steadily expanded since 1871 when the persons employed in factories numbered only 13,583. In 1911 the total output of goods was valued at over fifty-four million pounds. Unlike New Zealand, over one-third of the one and a half million inhabitants of the state are living in its capital city. Naturally enough the metropolitan district is the home of factories and workshops, especially of those connected with clothing, printing, wool scouring, ship building, drugs, and the production of light, heat, and power. Almost one-half of the manufacturing establishments employing over two-thirds of the factory workers of the state are located in Sydney. The proximity to coal fields, accessibility to raw materials, a good water supply, and the density of population — these factors have made inevitable the concentration of industry within the metropolitan district of the state.² This abnormal situation has at once simplified and made more difficult the administration of regulative legislation as will later be evident.

II. A REVIEW OF WAGE AND STRIKE LEGISLATION IN NEW SOUTH WALES

The legislation of New South Wales regulating the terms of industrial contract and the right to strike, is a type midway between that of New Zealand and Victoria. Combining the fundamental essentials of an arbitration court and wages boards, it has if anything a wider scope of control than the systems upon which it is patterned. Like them it has reached its present status after a process of trial and error. Like the leaders of other states, the statesmen of this country have become convinced that more emphasis should be put upon conciliation, for practical administrative reasons if for no other. This conclusion has been given effect in the law of 1912 which is now in force. Several other ad-

² Statistics from the Official Year Book of N. S. W., 1912.

ministrative improvements have been enacted. It will be our purpose to analyze these in more detail after considering the history and general nature of the various laws which have been passed in the effort to secure industrial peace and progress.

1. TWO EARLY ATTEMPTS — THE ACTS OF 1892 AND OF 1899

If we would understand the logical sequence of the arbitration legislation in New South Wales, we must go back for a moment to the conditions of the early nineties. In common with New Zealand and some other states of the Commonwealth the country had suffered extensively from strikes and trade disputes. In 1886-7 the collieries in the southern district were idle nearly twelve months because of a strike. In 1888 the coal miners of the northern district went on strike for several months. In 1889 the completion of various public works released some 12,000 unskilled laborers from the ranks of industry. The maritime strike of 1890 is supposed to have cost the state a million pounds, including £150,000 of lost wages. In 1892 the silver mines of Broken Hill were idle for nearly three months in consequence of strikes. In the following year the shearers' strike spread into the state. During all of this time the Newcastle coal miners and the coal companies were in almost constant conflict. In 1900 strikes among various groups of factory workers were prevalent. "Nowhere, except in Queensland," says Mr. Reeves, "has so much bitterness and bad feeling been shown in Australian labor struggles as in New South Wales, and nowhere has the failure of optional laws to find a remedy for them been more complete."³

The search for a solution began as early as 1890. The unionists, weary of fighting and recognizing an opportunity in politics, supported the appointment of a royal commission of inquiry. Many of the witnesses brought before it favored some form of State conciliation machinery, but a large majority condemned compulsion. The attitude of the Commission is expressed in the following language: "No quarrel should be allowed to fester if either party is willing to accept a settlement by the State tribunal. Industrial quarrels cannot continue without the risk of their growing to dangerous dimensions, and the State has a right in the public interest to call upon all who are protected by the laws to conform to any provision the law may establish for settling quarrels

³ W. P. Reeves, *State Experiments*, Vol. 2, p. 98.

dangerous to the public peace." But concerning the compulsory enforcement of an award, they said: "There is every reason to expect that in the very great majority of cases the decisions of arbitrators will settle the dispute and it is not worth while therefore for the sake of making compliance universal to introduce the repugnant element of compulsion."⁴

The recommendations of the Commission called for the establishment of State conciliation boards from which there should be an appeal to a State arbitration court. A bill to that effect was introduced in August of the same year but owing to a change of administration it failed of passage. In 1892 another measure, similar but not identical with the first bill, was passed with very little opposition. This law, known as the Trade Disputes Conciliation and Arbitration Act, 1892, provided for the division of the state into industrial districts, each of which was to have a council of conciliation composed of two representatives of employers and two of employees. These members were to hold office for two years each. Pending the creation of these districts a general council of conciliation was projected to consist of from twelve to eighteen representatives of employers and employees. There was also a council of arbitration of three members selected in a similar way, to which were to be referred disputes failing of settlement at the hands of the conciliation councils. Lawyers were forbidden representation but the council had power to summon witnesses and enter upon premises for inspection. Awards could be enforceable by legal process only by the prior agreement of the parties.⁵

Upon its passage the act was hailed as the first achievement of the new Labor party. But the efforts of workmen to bring cases were baffled by the refusal of the other side to appear. The absence of compulsion both as to reference and as to enforcement of awards proved to be its fatal weakness. At the end of 1894 but one case for conciliation and one for arbitration had been taken. Negotiations in other cases were unsuccessful. Employers were so strong owing to their victory in the strike of 1890 and the general commercial depression of the period, that they treated the law with contempt. Having proved such a dismal failure, Parliament refused to appropriate further funds for its administration

⁴ Report of the Royal Commission on Strikes, 1890, pp. 34-35.

⁵ Bulletin of the U. S. Bureau of Labor, No. 60, p. 524.

and it became inoperative in 1894, expiring by limitation two years later.⁶

After an interval of four years another attempt at voluntary arbitration was made, and the Conciliation and Arbitration Act of 1899 went into effect. This law was practically a copy of the English Conciliation Act of Mr. Ritchie and aimed at the prevention as well as the settlement of trade disputes. The minister was authorized to inquire into the causes and circumstances of disagreement and endeavor to bring parties to an amicable agreement. Although this law is notable for its simplicity compared to the Act of 1892, up to the close of 1900 there were but four cases taken under it. Its operation during the following year was scarcely more successful. After these meagre results the principle of voluntary settlement was abandoned, and the leaders of the state finally turned to compulsion.⁷

2. THE COMPULSORY ARBITRATION LAW OF 1901

With the revival of prosperity after the depression of the great droughts came a revival of trade unionist energy and activity. The unions recruited their forces and replenished their funds. The tailoresses were organized and obtained better conditions after a series of strikes. Other strikes were settled favorably to the workers. There was an alliance in Parliament between the Labor party and the Government of Sir William Lyne which became even closer after his ministry was reconstructed under Sir John See. The Labor party did not attempt to take a bill through the legislative process unaided, but secured the services of Mr. Bernhard Wise, then Attorney General, who undertook to draft a measure. This he did, basing it largely upon the example of New Zealand and aided by the report of Judge Alfred P. Backhouse, a special government commissioner appointed to study the working of the New Zealand arbitration law in particular. Rejected in 1901 by the Legislative Council, the bill had to run the gauntlet of a general election. With the success of the See-Labor alliance the resistance of the Council broke down. An important conces-

⁶ Bulletin of the U. S. Bureau of Labor, No. 60, p. 527.

⁷ *Ibid.*, p. 530.

sion was made, however, in the proviso that the law should have force only until 1908.⁸

Conceived as the most drastic of all similar laws known up to that time, it was carried through Parliament without material alteration. One of its most fundamental differences from the New Zealand system was that it eliminated conciliation entirely, leaving compulsory arbitration as the one and only method for dealing with all disputes. While abandoning the conciliation boards, the provision for industrial agreements to be made voluntarily under the law, but enforceable like an award of the Court, was retained.

In regard to arbitration there were a number of important differences from the New Zealand law, but not such radical departures — as those in reference to conciliation. The constitution of the court of arbitration was much the same as in New Zealand, a supreme court justice presiding as president with a representative from both employers and employees. By the amendment of 1905, the Governor was allowed to appoint a district court judge as president of the Court and also a deputy president. In the mode of nomination of members by unions, a difference is to be noted. Each union sent delegates to a convention by which a nomination was made, instead of making its own nomination independently. As each convention could name but one person it was possible for each class to actually select its own member of the Court.

As the basis of the act, the registration and incorporation of industrial unions was provided for. Here also there was a difference from the New Zealand system, as only a trade union was allowed to register as an industrial union. Unorganized work people were required therefore to go through a double process of registration. Mr. Reeves in allowing the registration of non-union workers wished to attract hitherto unorganized labor and also to combat the assertion that he was in a conspiracy to favor close labor corporations. On the other hand, the problem of Mr. Wise was to induce apathetic and suspicious unionists to renounce strikes and utilize arbitration. To keep labor from irritating the public by bringing too many cases into court, he made the use

⁸ W. P. Reeves, *State Experiments*, Vol. 2, p. 154.

of the law a privilege given to trade unions which had previously qualified by registration under the Trade Union Act of 1881. In order that these unions should be bona fide, the registrar appointed under the act could insist that subscriptions, fees, and penalties were fully paid and accounts accurately kept. To enforce the performance of duties he could apply for the cancellation of the registration of any union by the Court. Any employer or employing corporation that employed upon the average fifty persons during the six months precedent to filing an application could also register as an industrial union. Upon complying with all provisions, these unions became for the purposes of the act, corporations endowed with the usual powers except that they were not liable to have their property taken in execution otherwise than under the act. Such unions were given three special privileges not enjoyed by associations of employers or ordinary trade unions; they could enter into industrial agreements enforceable by the Court; they had the right to nominate candidates for appointment upon the Court, and they could bring references to it. However, the jurisdiction of the Court was not thereby confined to a union or its members.⁹

The procedure under the law of 1901 was quite similar to that first enacted in New Zealand. The Court was given full power to determine its own rules, to take evidence, to inspect books in camera, to inspect any industrial establishment having a reference before it, and to assess costs, except that no compensation should be allowed for an attorney's services. However, no limitation was put upon the employment of counsel as was done in New Zealand. Wherever technical questions were involved, two assessors might be appointed by the Court to advise it, one representing each of the parties to the case. The president of the Court was given the sole power to decide upon the admissibility of evidence. Concerning the hearing of cases there was one important difference to be noted; preliminary hearings could be held before the president of the Court to sift out the main issues and prepare the case for a formal hearing. To some extent these hearings did the work done by the conciliation boards in New Zealand.¹⁰

⁹ The Industrial Arbitration Act, 1901, No. 59, Sec. 4-16, and W. P. Reeves, *State Experiments*, Vol. 2, pp. 156-7.

¹⁰ Bulletin of the U. S. Bureau of Labor, No. 60, p. 532.

Jurisdiction and Powers of the Court

In regard to the jurisdiction and powers of the Court there are several points of interest to be noted. In the first place, not only the government railways were included under the act, but also the tramways and certain government harbor, water supply, and sewerage undertakings. Secondly, not only work people but employers as well had to be organized by registration under the law in order to bring disputes before the Court. In New Zealand that privilege was open to all employers whether registered or not. But while the right of reference to the Court was thus restricted to individuals and firms registered under the act, the registrar could at any time refer to the Court disputes involving unregistered parties, whether employers or employees. This power to compel a settlement independently of the parties concerned was something quite new in arbitration legislation. Third, there was no provision for disputes in related trades but instead the Court was given power to "declare that any practice, regulation, rule, custom, term of agreement, condition of employment, or dealing whatsoever in relation to an industrial matter shall be a common rule of an industry affected by the proceedings," and "direct within what limits of area and subject to what conditions and exceptions such common rule shall be binding upon persons engaged in the said industry," and "fix penalties for any breach or non-observance of such common rule."¹¹ This practice of the common rule was destined to play an important part in the administrative history of the act and will be referred to in more detail later. Fourth and last, no proceedings in the Court of Arbitration were removable to any other court by certiorari or otherwise. There was no right of an appeal on any technicality whatsoever, and it was thought that the Court of Arbitration could thus be made the tribunal of last resort.

Among the most important powers granted to the Court from the standpoint of this study was that of fixing a minimum wage and a special rate for slow workers. Compulsory preference to unionists might be granted at its discretion. The Court was empowered to issue injunctions to prevent the violation of an

¹¹ Ind. Arb. Act, 1901, No. 59, § 37.

award, expel members from unions, dissolve unions by ordering a cancellation of their registration, impose penalties and fines up to the amount of £500 upon a union or £5 upon any member of a union for breaches of an award or order issued by it.¹² These breaches might be prosecuted before a court of first instance with the right of an appeal to the Arbitration Court itself. Thus it was attempted to avoid some of the congestion from which the New Zealand court at that time was suffering, as well as in some degree to separate legislative from judicial functions.

Strike Prevention

The means taken to prevent strikes in the first act of New South Wales were more drastic than those used in its New Zealand model. Instead of prohibiting such action while proceedings were pending under the law, any such course was prohibited before a reasonable time had elapsed for a reference to the Court of the matter in dispute. Any violation of this prohibition was punishable by a fine of £1,000 or imprisonment up to two months, as compared with a fine not exceeding £50 in New Zealand.¹³

In the administration of the strike provision the Court held that while it was a misdemeanor to begin a strike or lockout, there was no power in the Court itself to punish for this offense. It directed that prosecutions of this nature be brought before the regular criminal tribunals. In thus marking a step toward the separation of the legislative and judicial function, New South Wales advanced from the legal point of view beyond the legislation of New Zealand which made one body both judge and law giver. This was the intention of the author of the law, who in a speech in Parliament in 1905, said: "In their essence the determinations of the Court are the same as the regulations under the factory acts, and it is only proper that they should be enforced in the same way." Such a separation was not made, however, in the case of breaches of awards, which might be sued for either in the Court itself or before a stipendiary police magistrate."¹⁴ But as Dr.

¹² Ind. Arb. Act, 1901, No. 59, §§ 36-38.

¹³ Ind. Arb. Act, 1901, No. 59, § 34.

¹⁴ Ind. Arb. Act, 1901, No. 59, § 37.

Clark has said, the way was pointed to a recognition of orthodox legal principles in this kind of legislation.¹⁵

The Common Rule

Perhaps one of the most interesting features of the act of 1901 was the provision made for what is known as the "common rule." Instead of proceeding through district after district citing all the employers in an industry as in New Zealand, the Court was given power to treat any award as a test case and to apply that award to the whole industry throughout the colony. It could also declare that any custom, regulation or condition should be the common rule of an industry in certain limited areas only. Thus the Court was given power to impair the validity of a private contract already existing upon the application of a third person not a party to the contract itself. It was feared that employers would unknowingly suffer from rules thus laid down, but the Court has prescribed that fair notice be given of all projected extensions of an award. In the early years of the act the common rule clause was applied to filed agreements as well as to awards. This right of the Arbitration Court was contested, and although upheld by the Supreme Court was reversed on appeal to the High Court of the Commonwealth.¹⁶ Because of this judgment it has frequently been the practice where it was desired to make an agreement a common rule, to leave some clause open for settlement by the Court. A technical dispute thus existing, the above limitation would no longer apply.¹⁷

From this review of the chief provisions of the act of 1901, it is plainly apparent that it marked an advance upon the New Zealand system. With a wider scope and more drastic provision against strikes, it was hoped to reduce industrial strife to a minimum. Uniformity was to result from the common rule, rendering justice more quickly to all concerned. But in spite of its manifest advantages the act was by no means an unqualified success. Its administration was defective. While the claims of slow

¹⁵ Bulletin of the U. S. Bureau of Labor, No. 56, p. 96.

¹⁶ 2 Commonwealth Law Reports, 94.

¹⁷ Aves, p. 112.

workers were sometimes dealt with by the Registrar of the Court, these matters were often left to the employer and the employees' unions. The enforcement of the awards devolved largely upon the union, as there was no provision for impartial law enforcement by the Government. There were frequent delays in the hearing of cases owing to the congestion of the Arbitration Court. The granting of preference did not go without controversy. Added to these weaknesses of administrative machinery, there was a constant uncertainty concerning the limits of jurisdiction under the law. Decision after decision was upset by the higher courts, until there was scarcely any solid ground on which the Court could stand. This was clearly recognized by Mr. Justice Heydon, President of the Court in 1907, in the following language:

"In consequence of the recent discoveries of the true meaning of the act, access to the Court is blocked, the area of its operations, narrowed almost to vanishing point, its freedom of movement checked with bonds, and all its actions paralysed.

"When an act is passed, which really means what it seems to mean, in which 'industrial dispute' means industrial dispute, in which a dispute 'arising between' certain persons does not mean a dispute which must arise between totally different persons; in which legal rights such as the rights to strike and lock-out are not taken away without anything being given in their place; then, and then only, can the principle of industrial arbitration be really tested, and if it breaks down, be fairly pronounced to have broken down."¹⁸

In the face of these limitations, employers and employees alike favored a change in the law, although clinging to the principle of arbitration. As the act expired in June, 1908, it was deemed desirable to enact a new law before the expiration of its predecessor. The party in power at the general election of 1907 declared an intention to abolish the Court and substitute wages boards. But the Ministry in spite of support from the press was prevented by public opinion from carrying the proposal into execution.¹⁹ The principle of arbitration was retained and a system of wages boards adopted. Administrative defects were remedied and the wage

¹⁸ New South Wales, 6 Industrial Arbitration Reports, 58-9.

¹⁹ B. R. Wise, *The Commonwealth of Australia*, p. 318.

arbitration legislation of New South Wales entered upon a new era of development.

3. THE INDUSTRIAL DISPUTES ACT OF 1908

The general aim of the act succeeding the original law was well expressed in the preamble: "To provide for the constitution of boards to determine the conditions of employment in industries; to define the powers, jurisdiction and procedure of such boards, and to give effect to their awards and appoint a court; to prohibit lock-outs and strikes, and to regulate employment in industries; to preserve certain awards, orders, directions and industrial agreements in force under the Industrial Arbitration Act, 1901; and for purposes consequent thereon or incidental thereto." The law was drawn so as to fit in with preceding legislation and be in good working order by the time the act of 1901 expired. With this end in view, it was provided that the expiration of the old law should not disturb the incorporation of previously enrolled industrial unions or the validity of awards or orders of the Court of Arbitration then existing. The transition was thus affected with the least possible amount of friction and confusion.

As it has already been intimated, unionism was retained as the operating basis of the new act. However, the unions were deprived of the exclusive control they had hitherto enjoyed by the provision that where no union existed, twenty employees in an industry might apply for the constitution of a board. Strange to say, there is no recorded instance where this privilege was taken advantage of. But little change was made regarding the conditions of incorporation, save that to secure greater control, the registrar was given the power to cancel the registration of any union upon his own initiative. An Industrial Court was constituted to take the place of the former Court of Arbitration. It was to consist of one Supreme Court judge appointed by the Governor, sitting either with or without assessors, who were to be elected by the parties to the dispute.²⁰ The Court was given powers very similar to those of its predecessor with such modifications as we shall notice. In the Court was centered the authority to recommend the constitution of wages boards and to it was

²⁰ Industrial Disputes Act, 1908, No. 3, §§ 9, 13.

given the ultimate power of sustaining or rejecting their decisions. Its duties of administration and enforcement were greatly lightened. In short, it was sought to make it a tribunal of last resort, of compulsory arbitration.

The central feature of the new act was the appointment of wages boards which were to perform a function very similar to that of the wages boards of Victoria. In order to cover the trades and industries of the state comprehensively, a schedule of industries was drawn up, for any trade of which a board could be appointed. This schedule as amended in October, 1911, gives for the purposes of the act the legal definition of industry. Various public utilities such as gas companies, water and sewerage boards, and the City Harbour Trust were specifically mentioned. The only important classes omitted from it were those engaged in agriculture. A board could be constituted for any of these industries by the Minister for Labor after a recommendation to that effect had been made by the Industrial Court. Where there was no duly qualified trade or industrial union of workers, or where such a union refused to make application, twenty employees in the same industry could apply for a board. Thus while the benefits of the act were no longer conferred exclusively upon members of industrial unions, it was made impossible for a handful of workers to originate disputes as had been the case in New Zealand. Each board was made up of not less than two or more than four members, and an outside person to be nominated as chairman by the original members of the board.²¹ Aside from the chairman, one-half of the board members were to be employers and employees selected from persons elected by each class. But where either employers or employees consisted largely of females, the Court could waive the stipulated qualifications. All boards were appointed by the Governor for a term of two years on the recommendation of the Court unless previously dissolved at the behest of the same body.²² In the procedure and powers of the boards there was some variation from the practice in Victoria. Such evidence could be admitted as the chairman should think fit. Any plant in an industry under investigation was made sub-

²¹ Industrial Disputes Amendment Act, 1908, No. 24, § 4.

²² Industrial Disputes Act, 1908, No. 3, §§ 14-21.

ject to inspection by any member of the board. One point is of interest, namely, the exclusion of lawyers from the proceedings, except upon the express consent of the chairman, or the fact that they are themselves engaged in the industry. While in 1900 Mr. Wise did not favor the employment of counsel before the Arbitration Court, he was not averse to it. In 1908 the exclusion of the legal fraternity was very strongly urged by Mr. Wade, then Attorney-General of the state. In a memorable speech before Parliament he declared that much of the delay and expense of litigation under the original act was due to the presence of hairsplitting lawyers.²³ As the bill was finally enacted into law, his counsels prevailed and the New Zealand example was followed. Concerning the other powers given to the boards there is nothing original to be added. A board could limit hours, fix the lowest wages for both time and piece work, and in general decide any matter of dispute coming before it. It was entrusted with the appointment of an authority other than the board itself for the granting of permits to those unable to earn the lowest regular rates. If no appointment was made, the duty to issue these certificates remained with the Registrar. The right to apply the common rule was continued in the board, which by its award could bind all persons engaged in the industry or group of industries within the locality specified. Subject to an appeal, the award of a board could be made binding for a period of not less than one or more than three years. Any person bound by an award might within one month after its publication apply to the Industrial Court for leave to appeal. If an appeal was refused, there was no alternative but to obey the award as law.²⁴ The board was thus made responsible to a high degree for its deliberations. The Court, possessing the ultimate power of review had all the powers of a board when rehearing a case and its decision was made final on all points concerning the matter in controversy.²⁵ Thus the regulation of working conditions by members of an industry was joined to the principle of impartial compulsion by an outside body.

²³ New South Wales, Parliamentary Debates, 1908, Vol. 29, p. 182.

²⁴ Industrial Disputes Act, 1908, No. 3, §§ 27-34.

²⁵ *Ibid.*, § 59.

Enforcement

In the enforcement of awards and decrees an improvement was made in the administrative machinery over the act of 1901. Three kinds of decisions were made binding under the law; board determinations, awards of the Industrial Court, and industrial agreements filed with the Registrar. In order to secure the performance of an award, the boards and the Industrial Court were given the authority to demand the deposit of the amount of money for which any person or union filing an application would be liable under the award.²⁶ Furthermore, on the conviction of a member of a trade or industrial union of an offense against the act, the Court might order the trustees of such union to pay out of its funds any amount not exceeding twenty pounds of the penalty imposed. The penalty for breaches of the act remained practically the same as it had been before. By the amendment of 1910, the Industrial Court was allowed to order any proceedings for breaches to be tried before a police magistrate or the Registrar in petty sessions.²⁷ This amendment served to relieve the higher court of irksome litigation and thus gave it time for more urgent work. But there was one change well worth noting. Government inspectors were appointed, who were to relieve the unions of the task of enforcement. They were required to inspect the plants of employers under award, examine time sheets and payrolls, and in general see that the law was being complied with.²⁸ The advance from enforcement by the unions to impartial enforcement by the State was the most significant change in this department of the law.

Strikes and Lockouts

The provisions against strikes under the law of 1908 were fully as stringent as those under the original act. But the coal strikes of 1909 made necessary even more drastic prohibitions. In 1909 an amendment was passed by which the penalties for the instigation of strikes and lockouts were materially increased. Unlawful meetings were defined and forbidden, and the Industrial Court was given sole authority in all cases concerning such

²⁶ Industrial Disputes Act, 1908, No. 3, § 52.

²⁷ Industrial Disputes Amendment Act, 1910, No. 5, § 3.

²⁸ Industrial Disputes Act, 1908, No. 3, § 58.

industrial warfare. Even more sweeping in scope was an amendment designated "to prohibit certain monopolies, and certain contracts, agreements, and combinations in restraint of trade." This amendment defined a necessary commodity as:

"(a) Coal; (b) gas for lighting, cooking or industrial purposes; (c) water for domestic purposes; and (d) any article of food the deprivation of which may tend to endanger human life or cause serious bodily injury."²⁹

Any person taking part in a strike affecting a "necessary commodity" was made liable to imprisonment for twelve months. By such provisions as these it was thought to secure industrial peace. In this respect the experience of New South Wales, was very similar to that of New Zealand.

4. THE INDUSTRIAL ARBITRATION ACT, 1912

When the Industrial Disputes Act of 1908 was adopted, an effort was made to maintain a complete system of machinery for the regulation of wages and industrial conditions generally, together with a court having the power to make all orders compulsory. Although a decided improvement over the original act, after three years of experience, it like its predecessors, became a mark for adverse criticism. Over two hundred boards were established while this law was in existence. The most serious objection raised against it was the very multiplicity of boards and the practical absence of co-ordinating principles. Although the Court endeavored to define the provinces of boards, the overlapping of awards was a serious evil. Consequently, a complete shifting of industrial lines was decided upon and the Arbitration Act of 1912 was enacted to replace all previous legislation of this kind.

The existing law in New South Wales is much like the law of 1908. In fact the essential machinery, with some important changes of alignment, is practically the same. As in 1908, every effort was made to effect a gradual transition to the new system. In the main the old awards and orders of the Court were allowed to expire naturally. The registration of the industrial unions was not disturbed, although the terms of such registration were

²⁹ Industrial Disputes Amendment Act, 1909, No. 26, § 2.

varied somewhat. The position of the unions was strengthened as we shall note later. One provision calculated to do this gives the Registrar or an industrial magistrate the power to order the payment of any fine, subscription or levy due to a union by one of its members.³⁰ In place of the Industrial Court the Court of Arbitration was established, the judge of the old court assuming a similar function in the new. Provision was also made for the appointment of an additional judge and a deputy, either of whom can on occasion preside over the Court. The judge may sit alone or he may be assisted by assessors where technical advice is needed. The Court has all of the powers conferred upon any subordinate body under the law and is in general not only an executive head, but a tribunal of last resort.

It is in the organization of the Industrial Boards which superseded the old wages boards, that the chief innovation of the new law consists. Under the former system boards could be constituted for industries or occupations, or for any division or combination of employees in industries as might be judged expedient by the Court. While in practice boards were constituted for industries, the workers were associated according to trade, or goods made, or materials worked upon, with the result that there were boards for trades, for industries, and for business, each with numerous exceptions. Under the new plan the range of industries and callings is defined by schedule, and a board may be formed for any industry or calling or for a division or combination in such industry or calling. Occupations in the nature of home industries such as dressmaking, millinery, and the making of shirts and underclothing are scheduled separately. The distinguishing feature of the present system from the former one, lies in the grouping of allied industries under one chairman and in the arrangement of such boards more upon the basis of craft or calling than of industry. The ultimate aim is the maintenance of some twenty-eight subsidiary arbitration courts, each court having the power to deal with a group of allied industries but subject to the general control of the Court of Arbitration.

The formation of boards for a group of industries is now effected under the schedule and such other board designations as

³⁰ Industrial Arbitration Act, 1912, No. 17, § 53.

the Governor may from time to time proclaim for any one of the group divisions. By a resolution of Parliament the Governor may regroup certain industries as the Court may see fit.³¹ The chairman for all the boards under one group of allied industries is recommended by the Court and appointed by the Minister. Besides the chairman each board consists of two or four other members, one-half of whom must be bona fide employers and employees respectively. This requirement is waived in any calling where the workers are mainly women, as experience has sometimes shown them to be at a disadvantage when dealing with shrewd men employers. All prospective board members are appointed by the Minister after being duly recommended by the Court for their several positions. Unless previously dissolved by the Minister, a board holds office for three years. However, a member may be removed from office at any time for incompetence or neglect of duty.

In its procedure, a return to the practice under the original act is to be noted. Although a reference may be brought to the board by the Minister or an employer having not less than twenty employees, no application may be filed by the workers except as members of an industrial union.³² This clause practically compels workers to unionize in order to secure the benefit of the law. The powers and functions of the boards remain practically unchanged. A little more emphasis has been put upon conciliation than hitherto, it now being the clear duty of the chairman to try to bring the contesting parties to an agreement. The rules as to hearings, evidence, and the inspection of books have varied scarcely at all. It is now expressly stipulated that a board may grant preference to the members of any industrial union of employees, but the Court may cancel such an order if at any time they happen to be concerned in a strike. As a matter of fact it was the practice of the old boards to grant preference, although the right was not expressly given them. If no appeal from a board's decision is allowed by the Court within thirty days, the award has the force of law for three years unless it is modified or revoked in the meantime. It is evident from these obser-

³¹ Industrial Arbitration Act, 1912, No. 17, § 16.

³² *Ibid.*, § 31.

vations that the function of the boards has not been materially changed.

Before proceeding to describe the operation of the new plan some definitions are essential. By way of explanation it may be said that a craft board is a board controlling the industrial conditions not only of skilled crafts, but of any distinctive callings, whether skilled, partly skilled, or not skilled at all. Thus considered, porters in the railway service, liftmen or waiters, each belong to a craft and may be governed by a craft board. By an enterprise is meant a large composite business which includes among its employees persons who are members of different crafts, but who are united under one management. Lastly, an industry may include a number of private businesses which can be grouped under a common designation as producers of the same article, as for instance, the saw-milling industry or the tanning industry. In each of these, persons of different crafts or callings may be engaged, such as engineers and carters.

When the Court proceeded to establish boards under the new plan, many difficulties were confronted. There was not only a conflict of employers and employees, but also between sections of employees as to the best method of arrangement. Notwithstanding the general complaints against the multiplicity of boards under the old statute, some unions strongly favored a grouping of boards on the industry instead of the craft basis. These were the unions which had come into being under the repealed statute and had drawn away many members from the older craft unions. It was urged that the division of the various employees of an industry or enterprise into various crafts with a board for each craft, would necessitate a constant loss of time on the part of the management to see that nothing was done by any of these boards unfairly prejudicing the enterprise or industry. It was also claimed that it was an intolerable responsibility for persons carrying on a large business to acquaint themselves with a large number of awards and to attempt to reconcile their possibly conflicting provisions. Although there seldom has been difficulty owing to a difference in hours set by different awards, the presence of this possibility was emphasized. On the other hand, the craft board was advocated on the principle that a craftsman is such wherever he may be employed; and as he must possess the qualifications

necessary for his craft he ought to receive the same wages and enjoy the same conditions as other members of his craft, even though he may happen to be employed in an enterprise or industry where other kinds of craftsmen are engaged. Again, it was claimed that particularly in the skilled trades it was all important that the members of the craft should be kept together in one union and be governed by one board in order to foster the craft or guild feeling, which is a powerful influence for good in each one of the callings. Unless a man's craft union can represent him in proceedings before the arbitration boards, he is almost certain to leave its ranks. Such in brief were the arguments advanced by those advocating the constitution of boards on the respective bases of industry, enterprise, and craft. The general opinion of the employers was that neither kind of board ought to be rigidly prescribed by the act, but that the Court should be left to determine each claim for a board upon its own merits. This as we shall see, was the course ultimately pursued.

When the first applications for boards were made under the present law, Mr. Deputy Justice Scholes was presiding over the Court during the absence of Mr. Justice Heydon. By his ruling 134 state boards were constituted upon the craft principle. Upon the return of Judge Heydon to the bench, the precedent laid down by the Deputy Justice was reversed.³³ What was done was to re-establish as many of the old boards as was consistent with the act. It was found inexpedient to drastically disunite organized sections of workers without reference to their conditions and relations to industries. While determined to limit the number of awards and prevent over-lapping, the Court declined to do this for the mere purpose of avoiding expense of administration to the detriment of established conditions. Recognizing that the mining industries of Broken Hill could best be regulated by local tribunals, the Court excluded the county of Yancowinna from the jurisdiction of state wide boards, excepting for textiles, broom-making, glass, brush-making, and other similar occupations. The requirement of one chairman for a group of industries scattered throughout the state made necessary transpositions and regroupings. But these were by no means the only difficulties which were encountered, some of which still exist. The over-lapping of craft awards already men-

³³ 12 Industrial Arbitration Reports, 68.

tioned has caused a vexatious uncertainty for many employers. To remedy this defect an employer should be given the right to ask the Court for a consolidation of the awards applying to his business. Owing to the attempt of Parliament to recite in the schedule all the types of callings in the industries of the state to which the act should apply, much time has been lost by some unions accidentally omitted. Were the method of definition by exclusion adopted in the Act of 1901, pursued, this delay would be obviated to the benefit of all concerned.

Another injustice to a large section of employees, is the omission of clerical workers from the jurisdiction of the boards. It was with the purpose of bettering their condition that the Clerical Workers' Act of 1910, empowering the Court (not the boards) to fix a minimum wage for this class of persons, was passed. As this act largely proved a failure, there seems to be no good reason in principle why the clerks should not be included among the employees for whom a board may legislate. It is true that the classification of clerks and the grading of their work will not likely be achieved without difficulty. However, it should be remembered that the work of the Commercial Clerks' Board of Victoria has not apparently met with any insuperable obstacles, and it is reasonable to suppose that this experience may be duplicated in New South Wales.

When the disadvantages and defects of the present method of constituting boards are balanced against its merits, it is evident that experience alone will prove the adequacy of the new plan. The principle of craft unionism involving the claim that all craftsmen such as engine drivers, carpenters, and painters, should belong to the same union and be dealt with by the same board is the assumption of the present act and is now on trial as a method of industrial control. Those most interested in the work of the various boards, while appreciating the difficulties of the situation, seem generally satisfied that it is working out satisfactorily.³⁴

Conciliation

Quite as important as the rearrangement of wages boards under the present law is the machinery provided for conciliation. During the last ten years a great many wasteful strikes originated in

³⁴ Industrial Gazette, Vol. 1, p. 1052.

small disputes which might have been avoided, if the means had been available for an immediate inquiry. In May 1911, while the act of 1908 was still operative, an Investigation Officer was appointed whose chief function was to deal with complaints concerning breaches of awards and to intervene whenever strikes were threatened, pending an investigation by a wages board. In October of that year an active policy of conciliatory intervention was entered upon, anticipating in a voluntary way the expedients embodied in the present statute.³⁵

One of the main functionaries of the conciliation plan now in vogue is a special commissioner charged with the responsibility of intervening in all cases where he is aware of any actual or threatened dispute which may result in a strike. His is the power to compel both employers and workers in such an industry to meet him and state their case. He is authorized to act as the chairman of a compulsory conference but has no judicial powers. If he is unable to adjust the matter in dispute he reports it to the Minister who may then bring it to the attention of the Court. If it chooses, the Court may at once proceed to make an award without recourse to an industrial board. It is thus possible for an actual inquiry to be made within a few days of the report of the threatened trouble to the Minister.³⁶

The law also provides for the appointment of conciliation committees covering any occupation or calling in which more than five hundred men are employed, with this limitation: no committee may be appointed unless the employees in the industry concerned are registered as an industrial union. The Minister may constitute these committees, which shall consist of not more than two representatives of the employers and two of the workers. He may also appoint a chairman, if the committee cannot agree to elect one. The committee is entirely independent of any board constituted for the industry and may be maintained so long as it is of any value to those concerned, notwithstanding the existence of a board or an award. Its deliberations are those of a voluntary conference and the chairman is an officer appointed to assist the parties in their efforts to reach an agreement.³⁷ It is hoped that these committees

³⁵ Ibid, Vol. 1, p. 3.

³⁶ Industrial Gazette, Vol. 1, p. 4.

³⁷ Industrial Arbitration Act, 1912, No. 17, §§ 38-43.

will be of use in industries such as coal mining and transport occupations where disputes frequently arise over matters which appear trifling to the general public. No elaborate machinery has to be set in motion, and within a few hours the dissatisfied parties can be brought together for a careful consideration of the points at issue. While it is too early to make any generalization upon this experiment, it seems probable that the results will be favorable as they have been so far in New Zealand.

Strikes and Lockouts

While the conciliation measures already described are the outstanding innovations of the present law in regard to strikes, some additional prohibitions and penalties have been adopted. Penalties payable because of participation in a strike may be recovered by an attachment of the wages due to a person from his employer. Such an order of attachment takes precedence of any other assignment or charge upon the wages of such a person. Again, any property which a union may hold, even though in the hands of trustees, may be taken to satisfy any judgment against a union or its members for violating the industrial peace. But the most sweeping power conferred upon the Court in relation to industrial warfare is the right to issue a writ of injunction to restrain any person from instigating or aiding in a strike or lockout. Any violation of such a writ is a misdemeanor punishable by imprisonment for six months. Offenses of this nature may be tried by the Court itself or before any police justice.³⁸ If used with discretion, the injunction may prove to be very useful as a means of intimidating would be violators of the peace.

Other Administrative Provisions

It remains for us to notice some of the changes in the general administrative machinery of the present law. The Registrar is now the sole authority having power to issue permits to aged, infirm, or slow workers. He may determine the conditions under which permits may be granted, and revoke them as he sees fit. The union to which a man having a permit belongs may apply to the Registrar at any time for the cancellation of such certificate. However, no appeal from the decision of the Registrar in such a

³⁸ Industrial Arbitration Act, 1912, No. 17, §§ 45-8.

matter is allowable, except upon the ground that the trade or calling concerned is one in which no permit should have been issued.³⁹

The work of enforcing the law has remained with the inspectors whose activities are now co-ordinated under the direction of the Investigation Officer. However, the right to bring proceedings for the breach of an award is not limited to the Government. Any employer or the secretary of an industrial union concerned, may prosecute an offense against the law, costs to be paid by the losing party.⁴⁰ Industrial magistrates having the qualifications of police magistrates have been created, before whom the greater number of such cases are heard. To prevent settlement for breaches outside of court, any person receiving in behalf of any industrial union of employees, money paid because of a violation of the act, is subject to a fine of twenty pounds. This clause guards against the former practice of fine collecting by union secretaries. Most of the ordinary court work now falls upon the industrial magistrates, or the Registrar. Any order of the lower courts imposing a penalty may be carried to the Court of Arbitration which may refuse to entertain an appeal. Standing as the final arbiter upon questions of industrial controversy and questions of practical administration, it is without question the most powerful instrument of authority in the whole system. As an executive, it defines industries and arranges their groupings; as a legislator, it prescribes the duties of officers and issues regulations, and as a judge, it deals with violations of its self made laws. Viewed from these several angles, but chiefly as the executive and judicial head of a system of conciliation, arbitration, and wage regulation, it is one of the most noteworthy experiments in industrial legislation to be found in Australasia.

III. PHASES OF ECONOMIC AND SOCIAL DEVELOPMENT UNDER ARBITRATION LEGISLATION

1. INDUSTRY

A. The General Expansion of Industry

The story of commercial and industrial development in New South Wales bears several points of resemblance to a similar growth in the other states of the Commonwealth and New Zealand.

³⁹ Industrial Arbitration Act, 1912, No. 17, § 27.

⁴⁰ *Ibid.*, § 50.

For four or five years previous to the inauguration of industrial legislation, the country had suffered from a protracted drought. Not only agriculture and pastoral occupations suffered, but there was a general deadening effect upon industry. Because of the scarcity of water many of the mines were compelled to stop work. Enterprise was at a low ebb and large numbers of men tramped to Sydney in search of employment. At the same time, there being no Federal tariff, manufacturers were forced to compete with heavy foreign imports. This was true of the boot trade, the local factories making a medium or inferior article. Upon the enactment of the Federal Tariff in October, 1901, trade between the states remaining free, the Melbourne factories pushed their exports to the utmost. It was said that several employers upon being forced to raise wages to the Victorian level, were obliged to curtail their operations. The Victorian Royal Commission of 1903 attributes this embarrassment of the boot manufacturers to the combined effect of depressed business conditions, the long drought, and increasing outside competition.⁴¹ The clothing firms likewise felt the pinch of dull times, together with the increase of their wages bill due to the arbitration law. Such conditions as these were not uncommon during the early years of the new experiment in industrial control. It will also be remembered that they were not exclusively confined to New South Wales. With the passing of the drought, came the revival of business confidence and an era of business growth. In 1905 the output of the principal brickworks was reported to be over 12 per cent. greater than in 1904. Government contracts calling for large supplies of iron and steel, the demand for locomotives and railway rolling stock, and the construction of iron bridges and public buildings gave a substantial impetus to metal works and iron manufacture. The number of plants engaged in the manufacture of food stuffs increased year by year. While the progress of the boot and clothing trades was long handicapped by the facts already mentioned, the production of textiles has become one of the most important industries of the state. In fact, there is no department of creative enterprise which has not expanded during the past fourteen years. The following tables further illustrate this point.

⁴¹ Victoria, Report of the Royal Commission on the Factories and Shops Law, 1902-3, p. xxvii.

MANUFACTURES IN NEW SOUTH WALES⁴²

| | 1901 | 1905 | 1909 | 1913 | Increase per cent. 1901-13 |
|----------------------------|------------|------------|-------------|-------------|----------------------------|
| Number of establishments.. | 3,367 | 3,700 | 4,581 | 5,343 | 58.0 |
| Persons employed..... | 66,230 | 72,175 | 91,702 | 120,586 | 82.0 |
| Males..... | 54,556 | 56,111 | 69,184 | 93,105 | 70.0 |
| Females..... | 11,674 | 16,064 | 22,518 | 27,481 | 135.2 |
| Plant and machinery..... | £5,860,725 | £8,031,948 | £10,330,724 | £14,831,637 | 153.0 |
| Total wages paid..... | 4,945,079 | 5,191,350 | 7,665,125 | 12,676,993 | 156.0 |
| Value of output..... | 25,648,471 | 30,028,150 | 42,960,689 | 65,746,608 | 156.0 |
| Population..... | 1,376,199 | 1,469,153 | 1,596,685 | 1,832,456 | 33.0 |

NUMBER OF ESTABLISHMENTS AND OF PERSONS ENGAGED IN THE PRINCIPAL CLASSES OF INDUSTRY 1901-1913⁴⁴

| CLASS OF INDUSTRY | ESTABLISHMENTS | | | PERSONS EMPLOYED | | | Per cent. increase 1901-13 |
|-------------------------------------|----------------|-------|-------|------------------|--------|---------|----------------------------|
| | 1901 | 1909 | 1913 | 1901 | 1909 | 1913 | |
| Raw materials, pastoral products.. | 256 | 283 | 298 | 2,981 | 3,800 | 3,988 | 33.7 |
| Oils and fats..... | 51 | 35 | 41 | 698 | 694 | 923 | 24.3 |
| Stone, clay, glass, etc..... | 244 | 274 | 313 | 3,007 | 4,135 | 6,564 | 118.2 |
| Working in wood..... | 430 | 574 | 714 | 5,108 | 6,690 | 9,304 | 82.1 |
| Metal works, machinery, etc..... | 301 | 449 | 549 | 13,926 | 18,755 | 27,527 | 97.6 |
| Food and drink, etc..... | 673 | 761 | 770 | 11,372 | 12,331 | 15,207 | 33.7 |
| Clothing and textile fabrics..... | 538 | 899 | 1,003 | 14,497 | 23,161 | 26,729 | 84.3 |
| Books, paper, printing..... | 298 | 381 | 446 | 5,573 | 8,045 | 10,009 | 79.5 |
| Musical instruments..... | 6 | 12 | 13 | 226 | 370 | 406 | 79.6 |
| Arms and explosives..... | 2 | 3 | 8 | 11 | 31 | 379 | 3,345.4 |
| Vehicles, saddlery, harness..... | 246 | 344 | 433 | 2,541 | 3,683 | 4,553 | 79.1 |
| Ship and boat building..... | 25 | 39 | 46 | 1,541 | 1,796 | 3,358 | 117.9 |
| Furniture, bedding, etc..... | 115 | 160 | 246 | 2,140 | 2,846 | 4,034 | 135.2 |
| Drugs, chemicals and by-products | 19 | 69 | 87 | 450 | 1,202 | 1,457 | 223.7 |
| Surgical and scientific instruments | 7 | 11 | 13 | 69 | 84 | 97 | 40.5 |
| Jewelry, timepieces..... | 14 | 42 | 55 | 165 | 608 | 816 | 394.5 |
| Heat, light, and power..... | 106 | 175 | 216 | 1,417 | 2,332 | 3,579 | 152.5 |
| Leatherware..... | 5 | 16 | 23 | 117 | 322 | 525 | 348.7 |
| Minor wares..... | 31 | 54 | 69 | 391 | 817 | 1,131 | 189.2 |
| Total..... | 3,367 | 4,581 | 5,343 | 66,230 | 91,702 | 120,586 | 82.0 |

In common with the experience elsewhere, the objection has been raised that arbitration legislation has checked the industrial progress of New South Wales and discouraged the investment of capital. Dr. Clark has reported several instances, where it was claimed that the owners of capital refused to invest because of the system of industrial control. However, these were outside investors interested in new industries. Dr. Clark was unable to find a single specific instance in any Australian state where money was

⁴² Figures taken from the New South Wales Statistical Register, 1910, Part VI, and the Monthly Statistical Bulletin, 1914, No. 110, pp. 9, 31.

⁴³ From The Official Year Book, 1913, p. 94.

⁴⁴ From the Official Year Book of New South Wales, 1912, pp. 433, 436 and the Monthly Statistical Bulletin, 1914, No. 110, p. 32.

withdrawn from industry because of labor legislation.⁴⁵ From a review of building statistics in 1903, he concluded that there was nothing to show any special stagnation of labor and industry. Interstate free trade and a uniform tariff encouraged local investment in manufacturing enterprise. The preceding table gives evidence that upon the whole, large gains have been made in recent years. It is true that the expansion of certain lines such as the manufacture of scientific instruments and explosives has been so slight as to be negligible. On the other hand, the printers of books, metal workers, and textile employees have doubled in number. The total number of establishments has increased almost 50 per cent., while the corresponding output has far more than doubled. To the casual observer, it would hardly seem that the operations of industry have been seriously thwarted.

B. Efficiency of production

This question has not occupied the minds of critics of conditions in this state to the same degree that it has elsewhere. Although there is little available evidence bearing directly upon the question, a few observations may be in point. Dr. Clark has observed that where an award unduly increases the labor cost of production, employers in some cases find a remedy by introducing machinery. A number of manufacturers and mine managers, mentioned the arbitration awards as a reason for the introduction of machinery.⁴⁶ It may be doubted whether this was the sole motive for their attention to the mechanical efficiency of their plants, but it doubtless was a contributory factor. A fact not to be overlooked in this connection is the increasing size of the industrial unit. The factories having fifty hands and upwards now employ over half of such workers in the state.⁴⁷ This tendency is not within its significance as concerns productive efficiency. The adoption of modern appliances and improved processes has been a feature of industrial development, here, as elsewhere. To what extent this process has been hastened by legislation, it would be difficult to say, but the wages boards have apparently been an influence in this direction.^{47a}

⁴⁵ Bulletin of the U. S. Bureau of Labor, No. 56, p. 149.

⁴⁶ Bulletin of the U. S. Bureau of Labor, No. 56, p. 125.

⁴⁷ Official Year Book, 1913, p. 239.

^{47a} See *infra*, p. 2246.

Closely related to the efficiency of methods and organization for which the employer is responsible, is the efficiency of the individual employer. There seems to be no consensus of opinion upon this subject. Mr. Aves found that very contradictory opinions were held by mine managers as to the influence of certain agreements upon the working efficiency of their men.⁴⁸ While in some quarters there is a disposition to work by the stroke, this attitude does not seem to be prevalent to any marked degree. It should be remembered that this spirit is not unknown in other countries, even in the United States.

When we consider some phases of production in the large, we find that at least there has been no retrogression in the efficiency of the complete productive process during recent years. In 1903 the value of manufactured products per head of the population was £6, 18s. In 1911, it was £11, 5s. The same trend obtains in individual industries. The following table illustrates this point in a general way. The basis of computation used is the actual output and not the monetary value. Although comparable figures were obtainable for only a few industries, they are indicative of the increased productivity of the individual worker. This is probably due both to the higher efficiency of the laborer, and to the better organization of the employer's methods. In any event it makes for prosperity.

⁴⁸ Aves, p. 113.

TABLE No. 21
AVERAGE OUTPUT PER WORKER IN SEVEN SELECTED INDUSTRIES⁴⁰

| INDUSTRY | 1902 | | | 1912 | | | INCREASE | |
|-----------------------|-----------|-------------------|---------------------|-----------|-------------------|---------------------|-------------|-----------|
| | Employees | Total unit output | Average unit output | Employees | Total unit output | Average unit output | Unit output | Per cent. |
| Soap and candles..... | 425 | 175,822 cwt. | 414 | 689 | 290,953 cwt. | 422 | 8 | 1.9 |
| Brick-works..... | 1,973 | 2,985,766 lbs. | 6,978 | 3,128 | 5,581,858 lbs. | 8,101 | 1,123 | 16.2 |
| Flour mills..... | 812 | 180,727,000 No. | 91,549 | 964 | 383,659,000 No. | 122,652 | 31,103 | 33.9 |
| Breweries..... | 969 | 8,853,048 bu. | 10,903 | 1,020 | 12,065,733 bu. | 12,516 | 1,613 | 14.8 |
| Sugar mills..... | 633 | 185,147 tons | 228 | 469 | 255,359 tons | 265 | 37 | 16.2 |
| Tobacco..... | 1,118 | 14,211,888 gals. | 114,666 | 1,442 | 22,741,332 gals. | 22,295 | 7,629 | 52.0 |
| Boots and shoes..... | 4,098 | 430,884 cwt. | 681 | 4,391 | 336,340 cwt. | 717 | 36 | 5.3 |
| | | 1,073,640 gals. | 1,090 | | 667,100 gals. | 1,422 | -274 | -16.1 |
| | | 3,790,118 lbs. | 3,390 | | 6,728,944 lbs. | 4,666 | 1,276 | 37.6 |
| | | 3,504,502 pr. | 855 | | 4,285,141 pr. | 976 | 121 | 14.1 |

⁴⁰ Compiled from statistics of The Official Year Book of New South Wales, 1912, pp. 450-468, and 1913, pp. 255-276.

⁴¹ Figures for 1903.

⁴² Including cigars and cigarettes.

⁴³ Including slippers, canvas and cloth shoes.

C. Relation of awards to the cost of production

The relation of the wage budget to the cost of production in manufacturing processes is quite variable. In the food producing industries wages represent something like 7 per cent. of the value of the total output, while in shipbuilding wages amount to 56 per cent. of the total cost. It is evident that labor cost is an item of varying importance in different industries, and that its effect upon the total cost of production depends upon other trade conditions. During the early years of the first arbitration law an industrial agreement between the Sydney Clothing Manufacturers' Association and the Tailoresses' Union was made a common rule for the whole state. It was claimed that the cost of manufacture was so increased that prices in some instances were raised from 20 to 25 per cent. However, the revelations of sweating in the clothing trades showed that there was ample room in certain branches for fairer wage rates.⁵⁰

There is no doubt that in some trades the almost uniform raising of wages by the boards has increased directly the cost of production, and hence the cost of the product to the consuming public. In industries such as the building trades, where competition is active, the burden of increased costs has had to be met out of the profits. Where it has been possible, however, employers have increased their prices to the public. Sometimes an award has been a mere pretext for putting prices beyond even the increases in wages.⁵¹ Employers' associations organized to resist industrial claims, have been known to combine in demanding unwarranted prices from the public. In this respect the history of this state is not unique in Australasia.

Blunders on the part of a poorly advised court or board have also been responsible for unnecessary increases in the cost of production. In the case of a saddlers' award cited by Dr. Clark, the workers fought strenuously to prevent what they considered an excessive division of labor. They were successful, with the result that although the actual wages paid were lower, the cost of manufacture was increased. Another award increased the labor

⁵⁰ Victoria, Royal Commission on the Factories and Shops Law, 1903, p. xxviii.

⁵¹ Industrial Gazette, Vol. 5, p. 428.

cost of production over forty-seven per cent., largely through ignorance on the part of the non expert court.⁵² But without minimizing the fact that in many lines of industry, production costs and prices have risen with higher wages, there is no patent evidence considering industry as a whole, that higher wages have necessarily increased the burdens of creative enterprise. In 1901 wages constituted on an average 19.2 per cent. of the value of the total output of the factories of the state. In 1911 this proportion had fallen to 18.5 per cent.⁵³ In the same year the average ratio of wages cost for the industries of New South Wales was lower than that of any other state in the Commonwealth.⁵⁴ Although it is probably true that State regulation has increased the cost of production in unexpected ways, there is no support for the contention that manufacturing enterprise has thereby been crippled and thwarted. The wage clauses of an award are not the only factors in the situation. Higher wages have been combined in their operation with two important resultant factors, the more extensive use of improved processes and the increasing efficiency of production.

2. LABOR

A. Sweating and the Statutory Minimum

Sweating as a social evil, has not received the attention in New South Wales that it has in other parts of Australasia. It was not the reason advanced for the adoption of arbitration legislation. Nevertheless, sweating as it existed in Sydney in 1897 and 1898 differed only in quantity from that in Melbourne. There was not so much of it, but there was the same use of low skilled and child labor, the same cutting down of wages and piece rates. The Factories and Shop Reports for those years tell of long hours and inhuman conditions of labor. Outworkers were paid at varying rates. Even the pay of factory hands became so low as to trench upon the margin of existence. Strikes, resulting in part from these conditions, led to the arbitration law which by its awards in the tailoring and clothing trades greatly alleviated the fierce competitive struggle of the workers.

⁵² Bulletin of the U. S. Bureau of Labor, No. 56, p. 125.

⁵³ Official Year Book, 1912, p. 446.

⁵⁴ Official Year Book of the Commonwealth of Australia, 1913, p. 546.

Beneficial as the awards were to large numbers of employees, they did not affect the lot of many so-called apprentices who were usually boys and girls used to carry messages, clean rooms, and do odd jobs, or were kept busy at one machine week after week. As the custom of indentures was falling into disuse, there was no direct control over these workers. They were paid low wages or none at all, and could be dismissed at the employer's pleasure. Attention was repeatedly called to this practice for several years, and not until 1908 was a legal remedy provided. The Minimum Wage Act passed in that year provided for a weekly wage of not less than four shillings to all persons coming within the definition of "workman" or "shop assistant." Overtime was defined as employment in excess of forty-eight hours per week and was ordered to be compensated at not less than three pence per hour. The payment of a premium or bonus for the hiring of employees in the clothing industry was expressly forbidden.⁵⁵ Apprenticeship was no longer to be a cloak for selfish employers.

The effect of the law has been to prevent in the main the evil it was designed to meet. Numerous dressmaking and millinery establishments in Sydney and New Castle were forced to discontinue their iniquitous practice of discharging their helpers after securing months of gratuitous service. Hands who would be tolerated merely because they cost nothing were no longer employed. Those who were retained were made more efficient in order that they might earn the minimum wage. Although there were some violations of the law, the Department of Labor and Industry was able to report in 1910 that the act was being well complied with.⁵⁶ In so far as the sweating evil is concerned, it may be said to be practically non-existent. According to the Royal Commission investigating the shortage of labor in 1911, such sweating as exists is confined to the outworkers. The amount of work performed by these persons is exceedingly small, there being only 784 outworkers among over 108,000 employees, according to the latest available figures.⁵⁷ Although the minimum wage statute applies to all workrooms whether registered under

⁵⁵ Minimum Wage Act, 1908, No. 29, §§ 4-8.

⁵⁶ Report on the Factories and Shops Act, 1910, p. 13.

⁵⁷ Official Year Book of the Commonwealth of Australia, 1913, p. 533.

the Factory and Shops Act or not, the low minimum fixed does not preclude underpayment. However, the general demand for labor and the influence of the awards has prevented a return of former conditions.

B. The Increase of Wages.

As in the states already studied, monetary wages have increased considerably in the years during which the arbitration system has been in force. There is nothing surprising in this phase of economic life which has been common to all countries in some degree. Created during a time of economic depression, the Arbitration Court had an opportunity to aid in the adjustment of wages and the conditions of work, and undoubtedly it has rendered material assistance in improving the condition of the workers.

Although comparison of wage statistics is very difficult in the manufacturing industries owing to the increasing variety and complexity of work, some general facts may be noted. In 1901 the general average wage per worker was £74, 13s. 4d. per annum. Between that date and 1908 there was an upward tendency, but no comparison of the rates of male and female workers was possible until 1909. Since that time the average increase has been £10 for males and £5 for females. In 1911 the average male worker received £108, 12s. 7d. per year, while the average female employee was paid £42, 11s. 7d.⁵⁸ Gauging the increase from 1906 to 1912, we find that in 1906 the average wage of a factory hand in New South Wales was £1 7s. 7½d. per week. In 1912 the figure was £1 18. 7d. per week, or roughly speaking, an increase of almost 40 per cent. for all ages and both sexes since 1906.⁵⁹ Although such an average is made up of many varying factors, it fairly represents a general tendency.

When we attempt to compare the wages paid at different times in particular industries, the difficulty already mentioned is again encountered. However, it is possible to show the average wages paid in a few trades to adult workers in 1900, and the current rates at the present time. In 1900 none of the trades listed were working under wage restrictions, while in 1914 almost all of them

⁵⁸ Official Year Book, 1912, p. 446.

⁵⁹ New South Wales, Industrial Gazette, March, 1914, p. 102.

were under the authority of an award. The rates quoted as current for 1914 are the minimum award rates established for adult male workers.

TABLE No. 22
WAGE INCREASES IN SELECTED INDUSTRIES⁶⁰
RATES FOR ADULT MALE WORKERS

| INDUSTRY | Average 1900 | Current 1914 | INCREASE | |
|---------------------------|-----------------|-----------------|--------------|-----------|
| | | | s. d. | Per cent. |
| Bakers..... | s. d. 51-9 | s. d. 60-0 | s. d. 8-3 | 15.9 |
| Confectioners..... | 48-3 | †60-0 | 13-9 | 29.7 |
| Millers..... | 47-6 | 65-0 | 17-6 | 36.8 |
| Boot-clickers..... | 34-3 | 54-0 | 19-9 | 57.6 |
| Tailor's shops..... | 43-3 | 60-0 | 16-9 | 38.7 |
| Tailoresses' shops..... | 18-3 | 25-0 | 6-9 | 36.9 |
| Picture frame makers..... | 40-3 | †50-0 | 9-9 | 24.2 |
| Bookbinders..... | 49-6 | 62-6 | 13-0 | 26.2 |
| Carpenters..... | 57-0 | 72-0 | 15-0 | 26.3 |
| Bricklayers..... | 66-0 | 80-0 | 14-0 | 21.2 |
| Masons..... | 66-0 | 76-0 | 10-0 | 51.1 |
| Plasterers..... | 57-0 | 80-0 | 23-0 | 40.3 |
| Painters..... | 54-0 | 63-0 | 9-0 | 16.6 |
| Boiler makers..... | 61-6 | 66-0 | 4-6 | 7.3 |

† Award rate in force, 1912.

It is needless to comment upon the foregoing table except to observe that it represents fewer uncertain factors than the general averages for many classes of industrial employees. The extent to which wages have been raised by the awards is indefinite, but there is no doubt that at times they have been a strongly influential factor. The Victorian Royal Commission said in concluding its report in 1903:

"Yet, on the whole, employees' unions in New South Wales have good reason for being satisfied with the law, the effect of awards and industrial agreements being generally to increase wages and improve their status."⁶²

Of the 430 awards made by the wages boards from 1908 to 1912, only those regulating the industries producing food and drink, and the clothing and textile trades, have affected the women workers to any extent. The tailoresses received considerable benefit from an award made under the original act of 1901. We have the testimony of Mr. Aves that their condition was consider-

⁶⁰ Official Year Book of New South Wales, 1912, p. 896, and Monthly Statistical Bulletin, July, 1914, p. 35.

⁶² Victoria, Royal Commission on the Factories and Shops Law, 1903, p. xxix.

ably improved by legal regulation.⁶³ The women also benefited unexpectedly from the conditions established for men. Some workshops which had previously employed only men, immediately took on women at 27s. 6d. per week. To them this was a great advance, but it represented a considerable reduction from the wage previously paid to the men. In the laundry trade there has been more or less complaint regarding the discrepancy in wage rates paid by various employers. Considering the fact that this trade is governed by an award, the Royal Commission of 1912 inquiring into the condition of female and juvenile workers, declared this situation to be unaccountable. The welfare of the milliners and dressmakers has been safeguarded, and their contest for a livelihood made easier. In general, it may be said that so far as women workers have been affected by the awards of the wages boards, they have received benefit.

C. Displacement of Men by Women and Juvenile Workers

As we have already noticed, the awards of the boards at times had the effect of forcing men to give way to the competition of women for their positions. For several years the proportionate increase in the number of women employed in industry has been greater than the increase for men. The number of women and juveniles employed in 1911 was four times greater than in 1896. In one of its notable decisions concerning the boot trade, the Court clearly aided this tendency. An appeal had been made (in 1911) against an award which permitted women when working a special machine to receive a lower rate of pay than men. In passing upon the case, Judge Heydon refused to enact equal rates of pay for men and women, holding that women had always received lower wages than men, and that only the Legislature should alter this practice. He clearly perceived that it was sought to displace women in the industry, and he refused to sanction the attempt.⁶⁴ The discrediting of the principle of equal pay for equal work, has in some industries given an undoubted advantage to women in their competition with men.

⁶³ Aves, p. 113.

⁶⁴ 10 Industrial Arbitration Reports, 589.

On the other hand, it should be remembered that the classes of industry in which women and children engage most extensively are those connected with clothing and textiles, food and drink, books and papers, and to a lesser degree, drugs and chemicals, furniture, and minor wares. An analysis of the figures shows that the increase in the proportion of women workers has not been due so much to the incursion of female labor into the so-called men's trades, as to the development of the trades peculiarly belonging to women such as dressmaking, millinery, and other branches of the clothing trades.⁶⁵ While in these industries the women far outnumber the men in recent years, the aggregate percentage of women to 100 men has only increased by one since 1907. What has been true in regard to women has been true in a measure of juvenile workers. While there has been a decrease in the issue of permits to children between the ages of 13 and 14 years, there has been a great increase in the employment of juveniles under 16 years of age.⁶⁶ Undesirable as this may be for the children concerned, it can hardly be said to have resulted in any hardship to adult workers. The very fact that there is a shortage of labor in the industries in question, is the best answer to the assertion that the wage awards have driven competent men out of employment.⁶⁷

D. The Cost of Living

The factor determining the real benefit of wage increases to the workingman is the cost of living. The ratio maintained between these economical factors does not differ much from that already observed in Victoria and New Zealand. As we have seen, the average wages of factory hands of all ages and both sexes increased almost 40 per cent. from 1906 to 1912, according to Mr. Trivett, the Government Statistician.⁶⁸ Taking 150 occupations in the state as a basis, Mr. Knibbs, the Commonwealth Statistician, has found that on the average, wages increased 23.3 per cent. from 1901 to 1912.⁶⁹ The rates of wages increase for most of the trades

⁶⁵ New South Wales, Royal Commission on the Hours and General Conditions of Employment of Female and Juvenile Labor, 1912, p. vi.

⁶⁶ Official Year Book, 1912, p. 441.

⁶⁷ Royal Commission on the Alleged Shortage of Labor in the State of New South Wales, 1911, pp. xii, xix.

⁶⁸ Supra, p. 2088.

⁶⁹ Official Year Book of the Commonwealth of Australia, 1913, p. 1129.

in the table presented (on page 2089) have been even higher than this. Turning now to the cost of living, we find that according to the Statistics Bureau of the Commonwealth, the cost of subsistence as measured by the purchasing power of money has risen about 23 per cent. since 1901.⁷⁰ At the same time it is generally admitted that there has been a larger variety in the demands of the people and a rise in the quantity of articles consumed. In short, the standard of living has risen as well as the cost of living.

It is true that the rise in the cost of necessities has not been without protest, sometimes without hardship. A factory inspector reported in 1912 that the living wage of women and girl workers was being seriously encroached upon by the rising cost of the necessities of life, especially in the confectionery industry.⁷¹ But women in the jewelry shops are paid well, wages often being above the award rate. It has been asserted, and with truth, that the wage awards have been taken advantage of by employers as an excuse for higher prices. Dr. Clark has observed that certain employers' unions in both New South Wales and Western Australia agreed to maintain certain schedules of prices, either informally or by specific rules and contracts. In the case of the bakers such a proviso was contained in the rules of the union.⁷² Again, it must be recognized that the Court has made awards which have ultimately been influential in raising the price of food without the party most interested, the public, being allowed a hearing. The opportunity to fix prices has been seized by certain cliques of employers under the protection of awards disadvantageous to their competitors. This danger must be constantly guarded against as one of the incidental evils of organization. The tendency of the practice is clearly described by a paragraph quoted from an Australian trade journal by Dr. Clark.

"There is an important point to be kept in mind, namely, that so far as the members of the employers' association are concerned the arbitration court's regulations under which they work are mainly of their own making. They are mostly concessions which employers have made to employees on con-

⁷⁰ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 4, p. 258.

⁷¹ New South Wales, Industrial Gazette, August, 1913, p. 1344.

⁷² Bulletin of the U. S. Bureau of Labor, No. 56, p. 138.

dition that the court made them a common rule for non-members, who were likely to be more seriously prejudiced by their enforcement than members, which thus enables members to pass their full weight, and a little more, onto the public. The act encourages the formation of rings among traders by putting them in possession of powers exploiting the public and oppressing their small competitors."⁷³

Although this indictment may be somewhat overdrawn, it shows the need for constant vigilance. Yet considering the factors influencing the cost of living as a whole, it is evident that neither local awards, combinations of employers, nor trade influences in general have put the essentials of life beyond the grasp of the wage earner. While the phenomenal rise in prices and rents during the year 1912 exceeded the increase of nominal wages, this was not due to the influence of the awards. For the greater number of years considered, the income of the wage earner has kept pace with his outgo. Even were the awards of the boards the prime cause of higher living costs, it could not be said that they had left the laborer worse off than he was before.

E. Trade Unionism and Compulsory Arbitration

In New South Wales the influence of arbitration legislation has undoubtedly been to increase the strength of trade unionism. With the passage of the act of 1901 the languishing unions were revived and others were organized. In 1905, there were 288 unions which had been formed since the passing of the Trade Union Act of 1881; 116 of these societies came into existence during the first four years of the Arbitration Law.⁷⁴ The later attendant growth of unionism is shown by the following table:

THE GROWTH OF TRADE UNIONS⁷⁵

| Year | Membership | Income |
|----------------|------------|---------|
| 1903 | 73,301 | £60,861 |
| 1904 | 79,815 | 82,100 |
| 1905 | 84,893 | 72,576 |

⁷³ Bulletin of the U. S. Bureau of Labor, No. 56, p. 139.

⁷⁴ New South Wales, Joint Parliamentary Papers, 1905, Vol. 3, p. 1163.

⁷⁵ New South Wales, Statistical Register, 1903-12.

THE GROWTH OF TRADE UNIONS — *Continued.*

| Year | Membership | Income |
|------------|------------|---------|
| 1906 | 88,478 | £72,502 |
| 1907 | 95,701 | 98,508 |
| 1908 | 113,918 | 105,003 |
| 1909 | 127,402 | 148,202 |
| 1910 | 130,346 | 129,754 |
| 1911 | 153,504 | 163,448 |
| 1912 | 201,144 | 199,157 |

NOTE.—No figures available for 1901 and 1902.

Coincident with the increase has gone the concentration of union membership. In 1911 there were 191 unions still existing out of a total of 428 organized since 1882. The greater number of these remaining unions were less than 10 years old. From 1906 to 1911 the average membership of unions increased from 620 to 843 persons each. It is evident from these figures that there has been a constant tendency toward centralization. This has probably been due in a measure to the use of the common rule and to the grouping of industries in large units under the arbitration law.

According to the Trade Union Act of 1881, a trade union may be "any combination for regulating the relations between workmen and employers, or between workmen and workmen, or between employers and employers." From this description it is evident that a trade union may be an organization of either employers or employees. Naturally the employees' unions are greatly in the majority. In 1912 the total union membership was 201,144, of which 197,126 persons belonged to workers' unions. It should be borne in mind that the figures given in the preceding table are for both classes and include women. Inasmuch as there are no comparable individual statistics, it is impossible to show the gains of the several classes for a long series of years.

In 1910 the first figures were available to show the extent to which women workers were organized. In that year there were 2,226 women unionists, representing 1.7 per cent. of the total union membership. In 1912 their members numbered 6,455, or

3.27 per cent. of the total union membership. The following table shows the industrial distribution of women unionists at the end of 1912:

DISTRIBUTION OF WOMEN AS COMPARED TO MEN UNIONISTS⁷⁷

| Industrial group | Union Membership | | Total |
|---------------------------------|------------------|---------|---------|
| | Males | Females | |
| Clothing | 3,591 | 1,846 | 5,437 |
| Printing | 2,958 | 261 | 3,219 |
| Food and drink | 10,613 | 394 | 11,007 |
| Manufacturing | 12,099 | 1,406 | 13,505 |
| Professional | 1,858 | 214 | 2,072 |
| Domestic and hotel | 3,281 | 1,097 | 4,378 |
| Shops and stores | 5,929 | 419 | 6,348 |
| Watchmen, caretakers, cleaners. | 719 | 549 | 1,268 |
| Hospitals, etc. | 293 | 269 | 562 |
| Other groups | 149,330 | ..... | 149,330 |
| Total | 190,671 | 6,455 | 197,126 |

Although the number of women having trade union affiliations is small, the value of organization is now being recognized. In some measure, the arbitration law is responsible for this change. That organization among the women has not proceeded faster is due in part to their timidity, but also to the fact that some boards when fixing the rates for men, determine also the conditions for women. Among the men, organization has unquestionably been fostered by the arbitration system. This is due of course to the fundamental requirement that organization as a trade union must precede registration as an industrial union. Hence the unions of New South Wales as Mr. Sidney Low has pointed out,⁷⁸ are much stronger than those of Victoria, where unionism is not essential in securing the advantages of a wages board. Whatever objections the trade unionist may have to compulsory arbitration, he cannot claim from the experience in New South Wales that his organization will be weakened by it.

⁷⁷ The Official Year Book, 1913, p. 905.

⁷⁸ Fortnightly Review, Vol. 97, p. 591.

F. *The Labor Market*a. *Unemployment*

The welfare of the working classes is so closely tied up with the fortunes of industry, that it is unnecessary to retrace in detail the story of industrial development. But as legislation regulating wages and the conditions of work is often charged as being the cause of working men finding themselves workless, it may be well to observe some of the more obvious conditions obtaining in the labor market of the state during the past twelve years.

During the early years of the arbitration system, the lot of the laborer was not easy in more ways than one. Aside from strike difficulties and general business depression, Sydney was visited with a very severe attack of bubonic plague in 1900. The large amount of labor called for by the cleansing of the city and the liberal wages paid had the effect of bringing numbers of men from all parts of the country as well as from other colonies to Sydney.⁷⁹ This considerably increased the ranks of the unemployed and in 1901 there were 10,639 applicants for work registered with the Government Labour Bureau. But with the disappearance of the plague, the break-up of the drought, the resumption of public works and general construction work, came a revival of industry, and consequently of employment for labor. In 1905 the Department of Labour and Industry reported a sound improvement in the state of employment for factory workers. Two years later the Labour Bureau declared conditions to be increasingly good. In that year 4,607 persons were taken into the employ of manufacturing establishments. With some fluctuation the demand for labor has been quite active during each succeeding year. The competition for skilled labor has become so keen that employers have actually been handicapped in operating their plants. During the first part of the year just past, conditions in some industries, such as those concerned with the preparation and distribution of articles of food and drink, apparently were not so good. The bespoke boot trade, order tailoring, and ready made clothing trades at Sydney have reported an increase of unemployment as compared to the latter part of 1913. In

⁷⁹ New South Wales, Report of the State Labour Bureau, 1909, p. 2.

other lines however, such as stone masonry, carpentering, and tiling, the supply of labor has been insufficient to meet the demand.⁸⁰ It would seem that much of this fluctuation is due to seasonal influences affecting primarily the lower grades of labor, and does not really represent the state of the market. Slackness and half-time work in the clothing trades are the necessary corollary to high pressure and overtime during the Christmas season. At New Castle all branches of industry are reported as active, while at Broken Hill where mining operations have been interrupted by failure of the water supply, labor seems to be in excess of the demand. Broadly speaking, it may be said that while unemployment is apparently upon the increase, there is an active demand for the higher grades of labor.

Comparative information upon the amount of unemployment in this state during the last few years is largely lacking. According to trade union returns, unemployment in the Commonwealth as a whole has slightly diminished, falling from 6.59 per cent. in 1901 to 5.9 per cent. in 1914.⁸¹ Although there are no similar figures for New South Wales, the census takers in 1911 found the proportion of unemployed persons for all classes of labor to be 1.89 per cent. for males and .34 per cent. for females. The number of net registrations with the government labor bureau fell from 9,442 in 1901 to 2,696 in 1912, showing that the demand for work has apparently diminished. However, the number of registrations cannot be regarded as a satisfactory indication of the number of persons really desirous of employment, experience having shown that great numbers of men register as unemployed who are never heard of after their first appearance. Of 2,283 persons upon the books as unemployed on June 30, 1911, only 239 kept themselves actually eligible for work. Not more than 50 per cent. of those eligible, report for work when sent for.⁸² These facts do not seem to indicate the presence of any permanent body of men really desirous of employment.

⁸⁰ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 69.

⁸¹ Official Year Book, Commonwealth of Australia, 1913, p. 1126, and Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 13.

⁸² New South Wales, Report of the State Labour Bureau, 1911, p. 8.

b. The Shortage of Labor

Another phase of the question deserving attention quite as much as unemployment, is the shortage in the supply of competent workers. Employers have been laboring under this handicap for several years. In 1910, the Department of Labor in making its annual report, declared: "Never before, in the history of the Department has there been such a general outcry at the difficulty in obtaining skilled hands in almost every branch of the manufacturing industries. The supply was entirely exhausted, and there were none others coming forward to fill the gap. About the middle of the year, the clothing and white work industry alone could absorb over 2,000 women on good wages, if such were available, but none were obtainable, and the conditions have since become even more critical."⁸³ It was such conditions as these which created a demand for the appointment of a Royal Commission to investigate the whole question of the labor supply. Such a commission was appointed in June, 1911, with authority to investigate not only the supply of labor, but the hours and general condition of female and juvenile labor, and the cause of the decline in the apprenticeship of boys in the skilled trades. After an extensive inquiry, the Commission concluded that with the exception of navvies required for railway construction in certain country places, there was an abundance of unskilled labor. In regard to skilled labor the Commission said: "As a result of natural causes, there does exist in the state, in most of the skilled trades and in most of the manufacturing industries a great and permanent need for the introduction from abroad of trained and competent workers."⁸⁴

The reason for this condition was found to lie first of all in the remarkable rate at which the wealth of the state has grown in comparison with the population. In the past decade the value of agricultural products has increased four times as fast as the population, the value of wool three times, the amount of savings banks deposits more than four times, the amount of bank deposits twice, and the value of foreign exports more than six times. These facts were cogently presented in the following table.⁸⁵

⁸³ Report on The Factories and Shops Act, 1910, p. 10.

⁸⁴ Royal Commission on the Shortage of Labour in New South Wales, 1911, p. vi.

⁸⁵ Royal Commission on the Shortage of Labour, 1911, p. vi.

| | 1900 | 1900 | Increase per cent. |
|---------------------------|------------|------------|-----------------------|
| Population | 1,364,590 | 1,690,316 | 23 |
| | £ | £ | |
| Agricultural products ... | 5,609,437 | 10,908,320 | 94 |
| Wool produced | 7,676,800 | 13,128,000 | 71 |
| Savings bank accounts... | 10,901,382 | 22,013,104 | 101 |
| Bank deposits | 33,118,860 | 50,018,885 | 51 |
| Foreign exports | 11,710,755 | 27,677,088 | 136 |

As a result of so much wealth distributed over a slightly increasing population, great accumulations called for investment. The natural consequence of expanding enterprise was declared to be an increasing demand for a never too plentiful supply of competent labor, which had scarcely been augmented in any other way than by the natural increase of the population.

After a careful study of individual trades employing both men and women, the Commission concluded that 3,247 skilled workers were needed in the state, 550 of whom should be women. Additional hands were thought to be necessary in the building trades, and in the iron industries. Women workers were needed mainly in the boot and textile trades.⁸⁶

Immigration

As a remedy for the situation thus shown to exist, it was evident to the Commission that the volume of assisted immigration which had hitherto brought in mainly agriculturalists, domestic servants, and general laborers was inadequate to meet the demand for labor. In order to understand the import of the Commission's recommendation, it will be necessary to digress briefly upon the previous policy of the state in respect to immigration.

State assisted immigration was inaugurated in New South Wales in 1832 and continued until 1885. It was then discontinued and after an interval of twenty years was resumed in 1905. For the year, 1912-13, £71,000 was voted by the state to be expended in the encouragement of immigration. This money is spent for ad-

⁸⁶ Royal Commission on the Shortage of Labour, 1911, p. xxx.

vertising the opportunities offered by the state to her neighbors in the United Kingdom, and in part payment of the passages of immigrants. These immigrants usually came from various parts of the British Empire, but may come from the United States and European countries other than the United Kingdom provided they are eligible under the Commonwealth Immigration Acts. There are two classes of assisted immigrants, selected, and nominated, the latter class being nominated by friends who have themselves recently migrated. Previous to the time the Commission made its report, both of these classes were largely confined to settlers upon the land and domestic servants. As the assistance given to immigration by the Commonwealth itself has been limited to advertising the attractions of Australia generally, there had been no impetus given to the coming of skilled industrial workers.

In order to remedy the deficiency in the labor force, the Commission recommended that a more extensive system of immigration be adopted; that the applications of employers should be registered, guarantees being secured wherever possible, such employers to be given the priority of choice. It was urged that the selection of immigrants should be undertaken conjointly by the three parties concerned; the Government, the employers, and the employees. In pursuance of these recommendations, a more liberal policy toward immigration was adopted. Chinese aliens are still excluded by a dictation test, and the admission of persons coming under contract to perform manual labor is subject to Ministerial approval. But there are now representatives of both employers' and employees' associations in London attached for definite periods to the Agent-General's office to assist in the selection of immigrants and to regulate the volume of immigration according to the needs of the industries of the state.⁸⁷

Another step was taken in the early part of 1913 as a result of the Premiers' Conference of 1912. Other states besides New South Wales had become exercised over the shortage of the labor supply. In response to a conference of employers and employees called by the Government of Victoria, the Labor Bureau made an exhaustive report favoring the importation of 975 male artisans

⁸⁷ Official Year Book, 1912, p. 854.

for various trades. It was the purpose of the Premiers' Conference to secure uniformity between the immigration policies of the several states. A schedule of immigration passage rates and bonuses to immigration agents was agreed upon, which was to be enacted by all the states. The Commonwealth Government was asked to provide for 25,000 assisted passages per annum for immigrants, the states to select the immigrants and place them. Following this action, the attorney-general of New South Wales was able in the early part of 1913 to arrange for joint action with Victoria in regard to the regulation and supervision of immigration. Accordingly the London immigration offices of Victoria and New South Wales were united in July of that year for the purpose of supervising more efficiently the immigration of the respective states.

Although it is too early to pass judgment upon the later aspects of the state's immigration policy, it is significant that in 1912 there was an increase of over 5,000 in the number of assisted immigrants, and over 1,000 in the number of unassisted immigrants placed in employment. The following table shows more clearly the effectiveness of state induced immigration during the past few years. The net gain by immigration from countries outside the Commonwealth shows indirectly the amount of unassisted immigration:

RESULTS OF ASSISTED IMMIGRATION IN NEW SOUTH WALES⁸⁸
EXPENDITURE UPON ASSISTED IMMIGRATION AND THE NET GAIN FROM ALL SOURCES

| YEAR | ASSISTED IMMIGRATION | | | | Net gain from countries outside the Commonwealth |
|------------|---|-----------|----------|--------|--|
| | Expenditure exclusive of administration | Nominated | Selected | Total | |
| 1906..... | £ 1,226 | 23 | 143 | 166 | 1,170 |
| 1907..... | 8,079 | 199 | 1,612 | 1,811 | 4,976 |
| 1908*..... | 13,184 | 835 | 2,088 | 2,923 | 1,611 |
| 1909*..... | 22,436 | 1,656 | 2,301 | 3,957 | 8,730 |
| 1910*..... | 26,815 | 2,252 | 1,981 | 4,233 | 12,193 |
| 1911..... | 32,786 | 4,739 | 2,559 | 7,298 | 26,032 |
| 1912..... | 59,186 | 8,881 | 3,975 | 12,856 | 34,085 |
| 1913..... | 69,656 | 11,150 | 2,499 | 13,649 | ..... |
| Total..... | £ 233,368 | 29,735 | 17,158 | 46,893 | ..... |

* Loss of population to other Australian states during these years.

⁸⁸ Compiled from the Official Year Book, 1913, pp. 96, 895.

Apprenticeship

Another influence affecting the supply of labor to a considerable degree has been the decline of apprenticeship and the lack of adequate technical education. This subject might be classified under the head of administration, but because of its relation to the labor supply, it may well be taken up at this point.

Apprenticeship is governed by the Apprentices Act of 1901 and the arbitration law. Under the Apprentices Act any person resident and trading in New South Wales may take apprentices under certain conditions as to age limitation and probation before the completion of indentures. The working time of apprentices is limited to forty-eight hours per week, with some exceptions as to rural industries and domestic service. On the other hand, the proportion of apprentices to adults is usually fixed by the industrial boards, often at the ratio of one to three adult workers, with a maximum as in the printing trades of seven apprentices for any institution or business.

As in several of the other states, the decline of the apprenticeship system has been a characteristic feature of the industrial development of New South Wales. It has been common, not only to the handicrafts, but also to the factory trades in which improved methods have been carried to a high degree of specialization. This fact was noted as early as 1905 by witnesses before the Commission on Technical Education in New South Wales.⁹⁰

There is no better source of information upon the reasons for the decline of apprenticeship than the report of the Royal Commission on the Shortage of Labor, which devoted one branch of its investigation entirely to this subject. In attempting to arrive at conclusions the Commission found it necessary to distinguish between those trades which could fairly be grouped under the term, "factory trades" and those which would more appropriately be called "handicrafts." Bootmaking may be taken as an illustration; the order trade carried out by men in the workshop is a handicraft, while the manufacture of boots in stock sizes is a factory trade. The increasing use of machinery in the latter branch has gradually been crowding out the skilled tradesman, thus making unnecessary the indenturing of apprentices. While the same danger of extinction of apprentices through specialization does not threaten the handicraft trades, machine methods

⁹⁰ Report of the Commissioners on Technical Education, 1905, p. 21.

seem now to be invading the province of the stone masons. The tendency of specialization in relation to apprenticeship was well stated by Mr. Justice Higgins in the course of a judgment in the boot trade dispute of 1909. He wrote in part as follows:

"I cannot help thinking that apprenticeship, as known hitherto, will ultimately be found unsuitable to factory work under modern conditions. The personal relations and household system, which were involved in the old apprenticeship, the intimacy of the master and the apprentice, the mastery of the whole craft from the start to the finish, cannot be found under the system of big factories with numerous machines and hundreds of workers, with minute subdivision of the work into processes so numerous and complicated that no one can become proficient in all. After all, teaching—even the teaching of a trade—does not look like an appropriate function for the managing director of a manufacturing company, or even for his foreman. The foreman's concern is to get the greatest output in the shortest time, and with the least expense; he has to hold his own in competition; and he has little or no time for general teaching. From this point of view, the bitter hostility of certain employers particularly in New South Wales, to apprenticeship is not surprising; and indeed they deserve every sympathy, when one considers the laxity of present apprenticeship methods. Some new system of instruction for a trade may sometime be evolved, suitable to the factory system, and to the circumstances of Australia in its competition with the outside world. I hope I shall not be taken as presuming to dictate on a subject of which I am ignorant, when I say that I see the solution of the problem is in closely associating the factories with technical schools."⁹¹

One cause urged by some employers for the decay of the apprenticeship system is the reluctance on the part of parents to undertake the obligations under which they are placed by the ordinary three-party indenture. Others declare the blame is to be laid upon the boys for their antipathy to discipline and restriction. In one industry, that of tailoring, the journeymen themselves have been a contributory cause of this decline by reason of their objection to teaching boys. This objection has been due in

⁹¹ New South Wales, Royal Commission of Inquiry into the Cause of Decline in the Apprenticeship of Boys to Skilled Trades, 1912, p. vii, from 4 C. A. R. 16.

part to the fact that these journeymen are paid by the piece, and not unnaturally do not care to lose any time in teaching learners.

Another deterrent operating against apprenticeship common to New South Wales and other states of Australia has been the limitation of apprentices by the awards of wages boards. The Victorian Commission of 1903 observed that the limitations imposed by some of the early awards seriously affected labor conditions in the state.⁹² It is undoubtedly true that to some extent the orders of the wages boards have been extreme. But upon the whole, the Commission of 1912 did not regard this charge as eminently serious.⁹³

In the opinion of the Commission, the most important cause operating against the practice of apprenticeship has been the higher wages readily secured at the outset by boys who enter upon unskilled labor rather than skilled trades. The high remuneration afforded by rabbit trapping, often as much as two pounds per week, has deterred boys from cutting themselves off from a lucrative though seasonal employment. The brickyards of Sydney pay 30s. per week to unskilled boy labor and sometimes even more. This shortsighted policy on the part of parents and children is a leading cause of the failure of apprenticeship.

From this survey it was evident that the failure of apprenticeship was not due to the matter of indentureship nor yet to the administration of the wages boards, but to a combination of causes in which those mentioned were not without representation. To meet this situation the Commission recommended a complete change in the system of industrial education. In the first place it proposed the constitution of an apprenticeship commission with power to:

1. Classify for apprenticeship trades and branches of trades, determinable as skilled.
2. Determine with regard to apprenticeship the period, rates of pay, length of attendance at technical classes, and amount of pay for certificated attendance.
3. Supervise the carrying out by masters and apprentices of the apprenticeship agreement and transfers from one master to another.

⁹² Victoria, Royal Commission on the Factories and Shops Law, 1903, p. xxviii.

⁹³ R. C. of Inquiry into the Cause of Decline in Apprenticeship, 1912, p. viii.

In addition to this, a law was suggested to make apprenticeship for juvenile workers in the skilled trades compulsory, and technical education obligatory.⁹⁴ It may well be open to question whether the enforcement of the latter recommendation is practicable, but there is no doubt that it would ultimately be highly beneficial to the persons concerned. The centralization of power in the hands of a commission would undoubtedly make for administrative efficiency and uniformity, while the exclusion of improvers, that nondescript class of industrial hangers-on, would improve the standard of labor service. The sooner active steps are taken to remedy the defective system of industrial education, the better for the commercial welfare of the state.

In concluding our consideration of the labor market and its relation to industry and the welfare of the working classes, we may note certain general facts by way of summary. Owing to the disparity between the increase of wealth and the increase of population, capital within the state is seeking profitable investment. Since 1900 the number of depositors in the Government Savings Bank has more than doubled and the amount of deposits has almost tripled.⁹⁵ Figures show that for the banks as a whole, the average amount for each depositor increased by £6 9s. 2d., or 17 per cent. from 1900 to 1910.⁹⁶ The interest paid upon bank deposits averages 3 per cent. Discount rates have remained practically stationary since 1900, ranging from 5 to 7 per cent. The State Government formerly depended upon the London market for its loans, which it still is inclined to do owing to a somewhat lower interest rate. But in 1912 one-third of the public debt was registered at Sydney.⁹⁷ In the same year over 70 per cent. of the aggregate deposits in the savings banks of Australia were reinvested in government and municipal securities. These figures indicate a surplus of capital, which in seeking profitable employment in productive enterprise has called for an increase in the labor supply. To meet this need a more extensive policy of immigration has been adopted, and a comprehensive system of industrial education has been recommended. Although the birth rate of

⁹⁴ R. C. of Inquiry into the Cause of Decline in Apprenticeship, 1912, pp. xvi, xvii.

⁹⁵ Official Year Book, 1912, p. 225.

⁹⁶ Ibid, p. 847.

⁹⁷ Official Year Book, 1912, p. 670.

New South Wales is higher than any other state in Australasia, the fact that it has fallen from 37.89 per 1,000 in 1884 to 28.68 per 1,000 in 1911 is not without significance.⁹⁸ This matter was deemed a subject of such importance that in 1904 a royal commission was appointed to investigate the decline of the birth rate. In making its report the Commission showed that while the birth rate had decreased, the marriage rate had increased. In condemnation of the selfishness of people in thus limiting the development of the nation, the Commission declared:

"The future of the Commonwealth depends upon the question whether we shall be able to people the vast areas of the continent which are capable of supporting a large population. This can only be done by restoring and maintaining a high rate of natural increase, or by immigration on a large scale, or by both these means of recruiting posterity."⁹⁹

True as this conclusion is in general, it should be remembered that what is needed in New South Wales is not simply a large population, but a larger number of skilled workers. Whether assisted immigration as it is now being carried out will be sufficient to keep pace with the needs of industry remains to be seen. The number of immigrants coming to the state during the past two years is a promising indication. The modification of factory apprenticeship and the institution of a system of industrial education would probably do more to gradually create a class of skilled native labor. In so far as the growing dearth of boy labor is due to the prosperity of the workers and their consequent ability to keep their children longer at home and in school, it is indicative of a healthy social state. However, the number of boys of apprentice age is apparently sufficient at present to meet the need for apprentices, if they would pursue the necessary course of training.¹ It must not be forgotten that unemployment still exists in spite of the work of the government labor bureau and the state relief policy pursued since 1885. But the unemployed are almost always the unskilled, and even the number of these is not as large

⁹⁸ Official Year Book, 1912, p. 102.

⁹⁹ New South Wales, Royal Commission on the Decline of the Birth Rate, 1904, Vol. 1, p. 53.

¹ R. C. of Inquiry into the Alleged Shortage of Labor in New South Wales, 1911, p. xxvi.

as it is frequently represented to be. In 1911 only 11.5 per cent. of the men registered as unemployed were willing to work when work was found for them.² The net result of these conditions so far as arbitration legislation is concerned, does not constitute an argument in its favor. Neither is it an argument against the legal regulation of wages. But it does show that while the awards of the wages boards have raised wages and abolished sweating, business has prospered, wealth has accumulated, and industry is now seeking expansion. The regulation of wages has not caused industrial retrogression.

IV. ADMINISTRATION

1. THE WORK OF THE COURT AND ITS RELATION TO THE ARBITRATION SYSTEM

The outstanding feature of the first Court of Industrial Arbitration was that it was a permanent organization doing its daily business in an ordinary judicial way without interruption. Consisting of a president who was a judge of the Supreme Court and two colleagues representing the two great industrial classes, employers and employees, it was handicapped by an unjudicial spirit of partisanship on the part of the two subordinate members. These persons were practically useless so far as furnishing technical information was concerned, their only specific function seeming to be the representation of their respective classes in the industrial order. Accordingly in 1908 the subsidiary members of the Court were dispensed with. Under the present law, one judge performs all the functions of the Court, although there are two additional judges who may relieve him when occasion demands it. Expert assessors have proven far more effective in giving information than the former partisan representatives.

A. Jurisdiction

Judging by the debates in both Houses of Parliament, the Act of 1901 was intended to provide an alternative for actual or threatened strikes. However, it was soon adopted by the unions as a means of securing the regulation of industries whether an

² Report of the State Labor Bureau, 1911, p. 5.

acute dispute existed or not. As a result the Court was confronted with numerous applications seeking the assistance of judicial methods to secure collective agreements. Naturally it soon became overburdened with work. During the first year of its operation, out of eighty-one cases listed for trial, only eleven were disposed of.³

Mention has already been made of the difficulties arising as to jurisdiction from the reversal of decisions by the higher courts of the State. It was decided that the Arbitration Court had no jurisdiction to settle a dispute between a union and an employer, once the contract between the employer and his employees had terminated. It was further decided that the existence of an actual industrial dispute was essential to the Court's jurisdiction and that the mere claim of a union would not suffice.⁴ This ruling was opposed to a similar decision handed down by the Supreme Court of New Zealand.⁵ Still another decision by the High Court declared that an industrial agreement between two parties could not be made the common rule for a whole industry. This nullified many awards and still further limited the jurisdiction of the Court. Thus after seven years of judicial attack, the Court of Industrial Arbitration was superseded by the Industrial Court.

In the scheme of the original law there was no place for an appeal court, the Arbitration Court fulfilling that function. By the Act of 1908 the Industrial Court was made essentially a court of appeal as well as to some extent an executive body. In the opinion of Mr. Wade, then Attorney-General, such a court was needed because many of the board chairmen might not be lawyers, and it was desirable that there should be a judge to decide questions of law.⁶ While in New Zealand the judge of the arbitration court deals only with matters of fact, stating questions of law to the Supreme Court, the Court of New South Wales has always been a tribunal endowed with final authority upon questions of

³ New South Wales, Industrial Gazette, Vol. 4, p. 415.

⁴ 3 Commonwealth Law Reports, 255.

⁵ See *supra*, p. 1980-82.

⁶ Hansard, November 25, 1908, p. 2,307.

both law and fact. Section 58 (2) of the 1912 Act contains the essential provision on this point which reads as follows:

"No writ of prohibition or certiorari shall lie in respect of any award, order, proceeding or direction of the Court relating to any industrial matter or any other matter which on the face of the proceedings appear to be or relate to any industrial matter."

After the numerous prohibitions imposed upon the Court under the original act, it may well be doubted whether such a statutory declaration has any force. In the opinion of the Royal Commission of 1913 which investigated the working of the arbitration law, there is a certain ambit of authority belonging to the Court with which no higher legal tribunal may interfere. The limit of its power is well stated in the following sentence: "It is perfectly clear, therefore, that the standard of judicial authority, which has been so far regarded in New South Wales as sufficiently high to pronounce judgment without appeal, has been reached when a judge has decided an industrial matter."⁷

B. The Preference Question

Perhaps one of the most important powers within the jurisdiction of the Court and the boards, has been that of preference to unionists. Under the original law the policy of the Court was not to order preference where an employer had habitually given it to union employees. Where preference has been granted, it has usually been subject to the conditions established by the New Zealand Court; that admission to the union shall be unrestricted, that fees and dues shall not exceed a specified sum, and that the union shall keep an employment book open for the inspection of employers. In this state the preference question has given rise to serious political controversy, such as has not troubled New Zealand to any extent. Although in the Dominion the trade unions possess an indirect influence in elections, they are not directly political organizations. In Australia, however, the labor unions have been in many instances the integral parts of a political

⁷ Industrial Gazette, Vol. 4, p. 655.

machine. An Australian labor federation, which levied 24 cents upon its members for the purpose of financing Federal Labor candidates, was formed by the co-operation of trade unions throughout the Commonwealth. Dr. Clark has described a meeting of a trades and labor council where action was taken for the purpose of obtaining money from the unions to pay the campaign expenses of Labor candidates. In some instances union members have not had a free ballot upon election day.⁸ It is apparent that the granting of preference to unions participating in such political practices, has not made for harmony. Although according to election returns the giving of preference has not especially strengthened the political Labor party, the tendency is vicious. The secretary of an employers' association thus voiced his criticism of this evil:

"Compulsory preference to unionists means compulsory labor partisanship, and creates a vicious circle of labor power. The union leaders are the political leaders and hold office by virtue of the trade union vote. They make laws that compel every worker to join a trade union as a condition of securing employment. Trade unions form the Political Labor League — the labor party organization. Therefore the labor leaders virtually compel every wage-earner to join their party and vote for them. In other words, they use the legislative machinery to give themselves political tenure."⁹

Another phase of the preference question early settled by the Court was the power of a union to exclude persons from its membership. In 1902 the president of the Court in arranging an agreement between the Stevedores' Association and the Sydney Wharf Laborers' Union remarked that when undesirable characters periodically sought union membership as in waterside occupations, the union might say, "We will close our books now for a month or six weeks." Eighteen months later when only two-thirds of the union membership was employed, the union did close its books, asserting that it was necessary to maintain the conditions under which the award was issued. Suit was immediately filed by three workers seeking admittance to the union. Although no employer

⁸ Bulletin of the U. S. Bureau of Labor, No. 56, p. 101.

⁹ Ibid, p. 102.

had complained that the union was not able to furnish him with all the men he required, the Court ordered the union to open its books, condemning the action of the union as autocratic and tyrannical in the extreme. The award was amended so as to make preference apply only so long as any person of good character was admitted to membership upon the payment of a fee not to exceed \$2.92.¹⁰

As in New Zealand, employers have often condemned compulsory preference as one of the worst features of the arbitration act, yet the fact that so many industrial agreements contain such clauses voluntarily conceded by employers weakens the weight of their objections. In the mining industries of both New South Wales and Western Australia, the workers are so well organized that they attach less importance to this question than do the employees engaged in other lines of production. In the New South Wales Colliery awards the managers have been ordered to dismiss men on the "last come, first go" principle, thus giving the older employees who are usually union men a fairly secure lease of employment. This clause has not been extended to any industries where embarrassment would likely result from the dismissal of skilled workers.

In conclusion it may be said that it is quite doubtful if the preference clause has worked any especial hardship to employers in the administration of their business. Dr. Clark cites the testimony of a person qualified to speak of this matter who said: "I have made special efforts to discover real grounds for the complaints of employers as to preference and have not found a case where the latter's interests were prejudiced, except occasionally where preference operated so as to induce him to discharge some old employee who was too aged work."¹¹ On the other hand, it cannot be said that where preference is not granted, unionism tends to die out in consequence. The membership of industrial unions has increased as rapidly in Western Australia where preference has usually been refused, as in New South Wales where it has usually been granted.¹² Allowance must of course be made

¹⁰ Bulletin of the U. S. Bureau of Labor, No. 56, p. 104.

¹¹ Ibid, p. 108.

¹² Bulletin of the U. S. Bureau of Labor, No. 56, p. 104, p. 109, and The Official Year Book of the Commonwealth of Australia, No. 6, p. 1015.

for the large mining population in the former state, but there is no evidence to show that compulsory preference has had any marked effect upon the enrollment of unions.

No direct modification of the law has been made to check the political activity of the unions, the discretion of the boards' and of the president of the Court being relied upon to accomplish this end. So far as open and direct activity is concerned, they have been fairly successful. However, the Commission of 1913 believed that perhaps to an increasing extent, unionists were taking definite part in the propagation of political views and the support of political parties. For this reason the Commission was against the granting of "absolute preference." "Normal preference" or preference "where all other things are equal", has been the kind ordinarily granted in New South Wales.¹³ This privilege, it should be said, is subject to revocation in case any union member takes part in a strike. Trade unionists have frequently urged the justice of "absolute preference" as a compensation for the heavy expense to which unions sometimes go in securing awards. In one exceptional instance the Boot Trades Employees' Union spent £4000 to secure an award. In answer to this contention, the Commission replied that the Boards should have power to order that the taxed costs of procuring an award should be paid per capita by all the adult male employees in the industry affected, and be recoverable by the union against members and non-members alike in the same way as penalties for striking.¹⁴ This suggestion seems to involve no serious practical difficulties and might prove quite beneficial. From the witnesses called, the Commission was unable to secure any reason for men refusing to join a union except "mere meanness."¹⁵ It would be no more than justice if men were made to pay for advantages and privileges which they are only too glad to get. But in order to safeguard the state against serious abuses, it would seem advisable to grant only "normal" conditional preference in the future as in the past.

¹³ Industrial Gazette, Vol. 4, p. 863-5.

¹⁴ Industrial Gazette, Vol. 4, p. 867.

¹⁵ Ibid., p. 868.

C. The Common Rule

In the administration of the "common rule" something of the same division of interests between the metropolitan and rural parts of the state has manifested itself, as occurred in New Zealand. Men at the head of large establishments attempted to regulate the conditions of industry by entering into an industrial agreement with their employees, and then seeking to have the Court make it binding upon all the employers in the state. This practice was stopped by the decision of the High Court of the Commonwealth in the case already referred to.¹⁶ Since then applications of the common rule have been limited to actual awards. One phase of this regulation is seen in a ruling of the Court that an award should apply to all persons actually engaged in the occupation irrespective of other working conditions. Under this ruling a merchant was fined for employing ordinary laborers instead of journeymen coopers to open tallow barrels. Another case is that of an oil company which had to pay a fine for having boys about their warehouse tightening hoops upon casks of oil.¹⁷ Although such instances have not been numerous, they are very annoying to say the least.

In regard to the practicability of the common rule, opinion differs. In some staple industries such as coal mining, it has been said to operate fairly. But its application to small industries and retail trades where conditions vary more widely is fraught with considerable risk and is proceeded with slowly. The increase in the use of the common rule in recent years has been slight. In 1908, Mr. Aves cited sixteen industries in which the common rule had been adopted and three in which it had been refused.¹⁸ Upon April 30, 1914, out of 260 awards issued by the boards and the Court, only twenty-three were in force throughout the state. The large majority of awards apply either to the metropolitan area or the country districts. While the power to enforce uniform industrial conditions throughout a state or a given territory is of unquestionable value, experience shows that it must be exercised with caution.

¹⁶ See *supra*, p. 829, 872.

¹⁷ Bulletin of the U. S. Bureau of Labor, No. 56, p. 127.

¹⁸ Aves, p. 138.

D. The Registration of Rival Unions

One clause of the law which has caused considerable litigation for the Court is the provision that registration as an industrial union may be refused "if it appear that another trade union to which the members of the applicants' union might conveniently belong has already been registered as an industrial union." This clause has repeatedly been inserted in each of the three statutes establishing arbitration systems and in practically identical words. The first question arising under this section was in 1902, when the Australian Workers' Union, the official organization of the shearers and ranch laborers was opposed by the Machine Shearers' Union, a strong and united society of graziers, generally known as the Pastoralists' Union. The former union, with an enrollment of some 21,000 members, was the first to register under the law. Shortly afterward the Machine Shearers' Union with a membership of 1,200 also secured registration. Each organization covered the same territory and occupation. The new union claimed that it was formed by men who refused to subscribe to certain offensive rules of the older organization committing it to political activity. On the other hand, the older union charged that its rival was not bona fide and was secretly supported and encouraged by the Pastoralists' Union in order to lower wages and defeat the ends of unionism in bettering the condition of the worker. In the meantime it altered its objectionable rules and besought the Arbitration Court to give it exclusive registration under the act.

When this effort failed, the leaders of the Australian Workers' Union secured the appointment of a Parliamentary Commission to investigate the whole question anew. Although the appointment of the Commission was later found to be unconstitutional, it made a public report showing that the Machine Shearers' Union had in all probability been formed, officered, and financed by persons working in the interests of the employers.¹⁹

The upshot of the whole matter was that although the Commission deplored the existence of the two unions, their registration was allowed to stand. However, in passing upon the case the

¹⁹ Report of the Royal Commission of Inquiry into the Formation, Constitution and Working of the Machine Shearers and Shed Employees' Union of Employees, 1904, pp. 1103-5.

Court laid down the principle that it was not the legislative purpose to have two unions representing the same industrial interests in one geographical area, unless substantial considerations of public policy so demanded.²⁰ The tests as to what constituted such considerations were laid down in later cases cited by the Royal Commission of 1913. One of these tests was the question as to what kind of union the applicants were to join if separate registration were refused (1902 A. R. 71). The second and third were whether the industrial interests of the applicants would be safe in the hands of the other union, and whether employers would, if separate registration were granted, be unduly harassed (3 A. R. 66 and 5 A. R. 99). And lastly, have the applicants a long maintained and well recognized right to independent representation in connection with the industry (3 A. R. 354).²¹

Under the law of 1908 these principles were consistently applied by the Court and several unions were excluded from registration. They have also been approved by one decision under the present act given in June, 1913. In passing upon the registration of trade unions, the Court has held it to be a matter of public interest to secure the highest efficiency of the board system compatible with justice.

Inasmuch as no unregistered union can obtain the appointment of a board, the bearing of registration upon the constitution of boards is evident. Great rivalry at present exists between the members of the enterprise or industry unions and members of the craft unions. Because no case has yet arisen in which it has been possible for the Court to say that the members of a large enterprise union can all belong to an existing industrial union registered on a craft basis, both kinds of unions may still be registered. As a way out of the dilemma now existing, the recent Commission has suggested that the area of each board's jurisdiction be determined according to the industrial union which makes application for the constitution of a board. Such a plan calls for no hard and fast lines marking out boundaries of jurisdiction upon the basis of definition, but allows the situation to work itself out according to the demands of the workers and the expansion of

²⁰ New South Wales, 1 Industrial Arbitration Reports 11.

²¹ Industrial Gazette, Vol. 4, p. 631.

industry.²³ In essence this is the present practice of the Court notwithstanding the letter of the law. Whether or not the method is logical is open to question; but the fact that it is at least fairly workable is far more important from the standpoint of administration.

E. A Question of Interpretation; the Principle of the Minimum Wage

Of the various questions of interpretation which the Court has been called upon to decide, none is more vital than what shall constitute the minimum wage. As in New Zealand and Victoria, there is no statutory declaration of principle, the Court being left to establish its own standards. In doing this, it has been influenced by the decisions of the Commonwealth Court rendered by Mr. Justice Higgins as well as by some of the New Zealand awards. It will therefore be necessary to refer to these outside precedents to some extent in explaining the procedure followed in New South Wales.

During the early years of the arbitration law no attempt was made by the Court to define a minimum wage. The precedent of the New Zealand Court was followed, of fixing such a rate of pay as seemed from the total evidence suitable, after taking into consideration, first, the customary or average wage already prevailing in the industry; second, the cost of living; and lastly, the condition of an industry as measured by its profits. This rate according to Dr. Clark, was at times higher and at times lower than the average wage prevailing previous to the award. The assumption was that the word "minimum" as used in the statute, did not necessarily bear any relation to the lowest or lower rates of wages paid in the trade prior to the decision. Although up to that time there had been no official utterance by the Court, an attorney identified with labor interests in this state is quoted by Dr. Clark as saying: "I believe we have reached in Australia the bedrock principle that the first charge on every industry shall be a living wage to all employees. If an industry can't afford such a wage, it should collapse."²⁴ This statement is significant as illustrating the conception of the minimum wage existing in popular opinion.

²³ Industrial Gazette, Vol. 4, p. 632.

²⁴ Bulletin of the U. S. Bureau of Labor, No. 56, p. 119.

According to the Royal Commission of 1913, the first instance of a judge laying down in positive terms the duty of an arbitration court to provide a living wage and set a standard for it, was when Mr. Justice Heydon delivered his first judgment as President of the Court in 1904.²⁵ In stating the principles upon which he believed the Court should discharge its functions, he spoke as follows:

"It may be inferred, however, from this bare substitution of a new method for an old, that the considerations which have influenced the parties in their debates under the old system should influence the Court also under the new. These considerations (the argument, of course, by which one side may be enabled to beat down the other, and constrain it to surrender, being eliminated) seem to me to be mainly three: first, the duty of assisting, if possible, to so arrange the business of the country that every worker, however humble, shall receive enough to enable him to lead a human life, to marry and bring up a family and maintain them and himself with, at any rate some small degree of comfort. This, which may be shortly defined as the duty to prevent sweating, is, I think, universally recognized in this country, and almost universally acted upon."²⁶

This opinion committed the Court to the establishment of a minimum wage based in general upon the needs of the worker. Two years later, Mr. Justice Higgins, President of the Commonwealth Arbitration Court made a pronouncement which greatly influenced the subsequent policy in New South Wales as well as in other states. The case concerned arose under the Excise Tariff Act of 1906.²⁷ This law imposed excise duties upon agricultural implements with a proviso that it should not apply to goods manufactured in Australia under conditions as to the remuneration of labor which should be deemed by the President of the Court to be fair and reasonable. This was a phase of the policy known in Australia as "The New Protection." In rendering a decision in the

²⁵ Industrial Gazette, Vol. 4, p. 435.

²⁶ 4 Industrial Arbitration Reports, 309.

²⁷ For reasons irrelevant here, the High Court later held this Act unconstitutional.

famous Harvester case, Justice Higgins clearly and emphatically stated the test to be used in ascertaining the minimum wage.

"If Parliament meant that the conditions should be such as they can get by individual bargaining — if it meant that those conditions are to be fair and reasonable, which employees will accept and employers will give, in contracts of service, there would have been no need for this provision. The remuneration could safely have been left to the usual, but unequal contest, the higgling of the market for labour, with the pressure for bread on one side, and the pressure for profits on the other. The standard of 'fair and reasonable' must, therefore, be something else, and I cannot think of any other standard more appropriate than the normal needs of the average employee, regarded as a human being living in a civilized community. I have invited counsel and all concerned to suggest any other standard, and they have been unable to do so. If instead of individual bargaining one can conceive of a collective agreement — an agreement between all the employers in a given trade on the one side and all the employees on the other — it seems to me that the framers of the agreement would have to take, as the first and dominant factor, the cost of living as a civilised being. If "A" lets "B" have the use of his horses, on the terms that he gives them fair and reasonable treatment, I have no doubt that it is "B's" duty to give them proper food and water, and such shelter and rest as they need; and, as wages are the means of obtaining commodities, surely the State, in stipulating for fair and reasonable remuneration for the employees, means that the wages shall be sufficient to provide these things, and clothing, and a condition of frugal comfort estimated by current human standards. This, then, is the primary test, the test which I shall apply in ascertaining the minimum wage that can be treated as 'fair and reasonable' in the case of unskilled labourers,"²⁸

In the opinion of Justice Higgins, a living wage was provided when the worker got enough to supply him with sufficient food, groceries, housing, and fuel; and for everything else at that time and place, an allowance of 9s. 7d. per week. In order to arrive at the mathematical equivalent of a living wage, he relied upon the

²⁸ 2 Commonwealth Arbitration Reports, 3.

budgets submitted by nine housewives. After making due allowance for clothing, life insurance, savings, union dues, sickness, books and newspapers, recreation, and other similar items, he concluded that the minimum wage for an unskilled laborer assumed to be supporting a family of five people should be fixed at 7s. per day or £2. 2s. per week.

In reaching this decision Judge Higgins was confronted with one serious difficulty, namely, the lack of sufficient evidence. Fully appreciating this deficiency he adjourned the case for a fortnight to give the employers an opportunity to reply, but they made no attempt to do so. He therefore acted upon the evidence at hand and drew his conclusions. The standard thus set up was afterward followed in the work of the Commonwealth Conciliation and Arbitration Court. When passing upon cases carried up from state courts, Mr. Justice Higgins subsequently solicited evidence from both parties as to the suitability of this rate to their conditions, but facts controverting those previously established were not submitted. Hence, the rate of 7s. per day was generally applied by several of the state tribunals including that of New South Wales as the minimum wage for unskilled labor.

For some time this rate was accepted by the Court of New South Wales, but as the cost of living gradually became higher, it became evident that this wage was no longer adequate as a minimum. Mr. Deputy Justice Scholes ultimately raised the basic rate to 7s. 6d. per day, upon facts which Mr. Justice Heydon later said could have been picked to pieces. However, it was the best that could be done considering the lack of material evidence.²⁹ In the meantime there was considerable delay and loss of time on the part of the industrial boards owing to constant disputes concerning what constituted a living wage. Claims were made which could not be proved nor refuted and the boards struggled at a great loss of efficiency to do the best they could under the circumstances. It was such a state of affairs that led Mr. Justice Heydon to express repeatedly the need for a comprehensive and scientific basis upon which to fix the minimum rate. In 1913 he began an exhaustive inquiry upon the subject which was completed and formally pro-

²⁹ Industrial Gazette, Vol. 4, p. 5.

mulgated on February 16, 1914, as a judgment of the Court of Industrial Arbitration.

In approaching the question at issue, Mr. Justice Heydon stated that the standard of living by which he would be guided was that laid down in the Harvester case as "the normal needs of the average employee regarded as a human being living in a civilized community." But this average employee must belong to the lowest class in the industrial scale. To quote his exact words:

"Then the living wage must relate to the humblest class of worker. It has to recognize a standard, and that standard must clearly be his. Otherwise, there would be as many living wages as classes, whereas the living wage is the lowest which any male adult worker, not licensed as a slow worker, should receive; and is based, not on the value of his work, but on his requirements as a man in a civilized community which has resolved that, so far as laws can do it, competition shall no longer be allowed to crush him into sweated conditions."¹

After dwelling upon this point, he continued:

"The strict living wage must fulfil two conditions: (1) It must be such as to secure to the worker the satisfaction of his normal needs as an average worker of his class here in Australia; and (2) it must be such that any further reduction would call for the extinction of the industry paying it. These two amounts must coincide, and a living wage should not be less than the former and not more than the latter."²

He then defined his problem as the ascertainment of the amount necessary to support a family of two parents and two dependent children, making allowance for rent, food, fuel and light, clothing, education, savings, and recreation. He further made specifications concerning each of these items with a fair degree of accuracy. A house should consist of three rooms and a kitchen. Food was to be fully sufficient for health and strength, and sufficiently appetising, but must consist of the simplest and least

²⁰ Industrial Gazette, Vol. 5, p. 104.

²¹ Ibid., p. 107.

expensive kinds consistent with these requirements. In order to bring the other items into definite compass, he roughly limited the amount to be so expended at about 14s. per week.

Having marked out the limits of his problem, he proceeded to determine accurately its various elements. Assuming that most children go to work at the age of fourteen years, he assured himself by a process of deduction that the average number of dependent children per family does not exceed two. In arriving at this conclusion, he relied upon several sources of information. The following tabulated figures illustrate his method:

| | Average No. of children under 14 per family |
|--|--|
| Census (whole population of Commonwealth)..... | 1.79 |
| Trivett's deceased males (all occupations in N.S.W.) less than | 1.65 |
| Knibb's "Inquiry" (all families from all over the Commonwealth) | 1.80 |
| Ditto (families receiving £200 a year or under)... | 1.80 |
| Ditto (families receiving £150 a year and under) less than | 1.90 |
| Trivett's table of occupations (industrial class in N.S.W.) less than | 1.72 |
| Private houses all over Commonwealth less than.... | 1.78 |
| Connington's collectors (employees)..... | 1.76 |

The number of children to be provided for having been determined, the judge systematically took up each of the items involved in the same thorough-going way. It is unnecessary to present the mass of figures and statistical calculations resorted to in obtaining the final results. Suffice it to say that in estimating the amount and cost of food required, the Court reviewed the dietary budgets of several institutions, the accounts of dealers, the budgets of sixteen families, the evidence of 657 families taken by the union secretaries, and the statistics of the Commonwealth Census Bureau. The cost of rent was calculated in a similar manner, municipal returns, house and real estate agents,

witnesses' rentals, and statistical tables being consulted. In reaching the final estimate much reliance was put upon the testimony and evidence of families submitting budgets. This evidence proved to be a very satisfactory test of the bulk of statistical data. After all the material had been sifted and weighed, Mr. Justice Heydon announced that the living wage in Sydney for the average family of two parents and two dependent children was not more than £2 8s per week.³²

But the minimum wage awarded by the Court at any given time must not necessarily be the living wage. To the claim that the minimum wage must always be the bare subsistence rate, Mr. Justice Heydon has refused to give his assent. It is the aim of the Court to grant a fair wage, which may be something more than "the irreducible minimum," the living wage. In the language of Judge Heydon, "not the promoting of peace, but the doing of justice" should be the direct object of the Court.³³ He justifies this attitude upon the ground that the manual laborer should not always be debarred from any possible improvement in his condition. He should have his share in prosperous times, for he is no less deserving than the other factors in production. This is what normally happens in prosperous times, and in the opinion of the Court, the arbitration system was not intended to deprive the worker of the advantages he would otherwise have. Acting upon the theory thus advanced, it was suggested that the boards fix the minimum wage in Sydney for unskilled workers engaged on light work at 8s., 6d., for ordinary work 8s. 9d., and for heavy work 9s. per day.³⁴

It is clear from the preceding discussion that Mr. Justice Heydon regards the Court as an instrument for the protection of labor and for the giving of justice. But the right of men to live must always be recognized as the one basic right, before which the right to profits must give way. This is clearly brought out in the decision just considered:

"If the standard of the family and of others whose conditions were referred to was the average standard of their

³² Industrial Gazette, Vol. 5, p. 145.

³³ Ibid., p. 103.

³⁴ Ibid., p. 146.

industries, and if it appeared clearly that those industries could not continue if they had to pay a wage which would raise that standard, ought these industries to be swept away? Certainly, if they could not give a fair living wage; but the question illustrates the fact that the living wage is not a humanitarian wage, but is to be arrived at by laying down a fair principle and applying it firmly, and impartially, without respect of persons or classes."³⁵

This is in marked contrast to the opinion given by the first president of the Court, Mr. Justice Cohen, in a confectioners' award:

"We think at the present time it would be exceedingly unwise to do anything that would be likely to hamper the successful or the existing operations of the trade."³⁶

Without doubt the policy of the Court concerning the theory of the minimum wage has undergone a gradual evolution. It has been influenced to no small extent by the Commonwealth Court, but it has not been dominated by it. The Commonwealth Court emphasizes to a greater extent the promotion of industrial peace. While not losing sight of this end, the State tribunal aims primarily at justice. It may fairly be said that the recent judgment of Mr. Justice Heydon represents the ablest and most comprehensive single statement of policy backed up by scientific fact, yet put forth in the Commonwealth. Yet his minimum wage is not set according to a scientific standard and there are many who will disagree with his theory upon this point. But this wage is not mandatory. Each board may deal with that question as it sees fit. As to existing awards, any rate now paid which is lower than the living wage may be raised to that amount on application to a board. It has been suggested that for some time to come the laborer's wage in Sydney, now established, rise and fall in accordance with the Commonwealth Statistician's tables on the changes in the purchasing power of money. Thus there will be a standard rate for the interims between the exhaustive investigations of the Court. How successful this plan will be remains

³⁵ Industrial Gazette, Vol. 5, p. 144.

³⁶ 2 Industrial Arbitration Reports, 8.

to be seen. Whatever its deficiencies of administrative detail, the outstanding accomplishments of the Court in the definition of principles and policies cannot be denied.

2. MATTERS PERTAINING TO THE WORK OF THE INDUSTRIAL BOARDS

A. The taking of evidence

One of the complaints made against the present practice of industrial boards, is the excessive taking of evidence. The operations of a trade or calling are sometimes described by one witness after another with great minuteness as to details. Much of this abuse is due to the persistence on the part of certain members of the board in attempting to conduct the case. Inasmuch as the chairman has no power to curb the taking of evidence, it has been suggested by the recent Royal Commission that boards in the future be headed by a judge, who by his counsel might dispense with the taking of useless facts. Another suggestion of equal value made by many members of the Employers' Federation, is that before litigation is resorted to, a conference should be held by the parties in order to elicit the main points at issue.³⁷ If an informal meeting of employers and employees could be secured voluntarily or upon the summons of a judge acting as chairman, it might do much to facilitate speedier action. In this respect the round table procedure of the boards in Victoria is superior to that in New South Wales, which inclines toward legality rather than conciliation. The proceedings in Victoria are conducted in private, which prevents any playing to the gallery and talking to the newspapers such as may occur when the members of a board have their principals listening to them. On the other hand, it would be difficult to add compulsion as it is known in New South Wales to decisions reached in private. There is also no doubt but that the decrees issued by this kind of a board can more easily be defended by the Court upon the basis of fact. Each method would doubtless be improved if it partook to a greater extent of the nature of the other.

³⁷ Industrial Gazette, Vol. 4, p. 642.

B. The variation of awards

Under the Act of 1908 the right was given either party to apply to a board for the variation of an award. Under the law of 1912 a similar right is given, but because of the powers of appeal it has often happened that a dissatisfied party failing to secure the variation of an award by the board, has at once applied to the Court. This power was probably at first introduced for the purpose of correcting clerical errors and technical mistakes. Of late however, the mischief of frequent applications for variations is regarded as a serious evil by both employers and employees. This was dwelt upon to a considerable extent by the witnesses before the Royal Commission of 1913. In order to correct this evil the Commission recommended that applications to vary an award should only be entertained upon leave given by the chairman-judge of a board.³⁸ Much time now spent by the Court in looking into such matters might thus be saved. No matter of substance could then be revived without proof of the existence of fresh reasons of a convincing nature.

C. The Fixing of Piecework and Time Wages

The adjustment of piecework rates to time wages and the allowance or disallowance of piecework were among the most knotty questions confronting the original Arbitration Court. Often-times the Court fixed time wages only, leaving to the parties the adjustment of piecework rates. This arrangement has generally been favored by employers, as it gives them better control of their factories; workers usually oppose it, fearing a piecework rate set by the fastest man. In recent years this question has been the subject of much radical disagreement on the part of these contesting before the wages boards. Instances have been cited of unions which desired no piecework rates at all to be permitted, and of others which have contended for the opposite provision. Unfortunately, owing to the attitude of the Court, the boards are not able to direct work to be paid for on one principle to the exclusion of the others. In two distinct cases the Court has deemed it improper for an industrial tribunal to interfere with the

³⁸ Industrial Gazette, Vol. 4, p. 646.

employer's right to organize this labor as he sees fit.³⁹ In thus putting the prohibition of time rates outside of a board's jurisdiction, the Court has made possible a serious abuse from the payment of outworkers by the day. Under Schedule II of the 1912 act, dress-makers, shirtmakers, and other similar classes are brought under the jurisdiction of the boards. Inasmuch as under the Factories Act, the right of inspectors to investigate working conditions does not extend to cases where the work is done in the worker's own home, it is alleged that there can be no check upon the number of hours or the amount of output that can be demanded of these persons, since the wage fixed is upon a time basis only.⁴⁰ The boards of Victoria, which in general are more limited than those of New South Wales, not only have the power to prohibit time rates, but are authorized by statute to fix piecework prices only for all outwork. The question of outwork outside, it would seem that in view of the fact that there has been no abuse of the alternative powers conferred upon the Victorian boards, there is no good reason why similar authority should not be given to the tribunals of New South Wales.

D. The Determination of Working Hours

Each of the arbitration laws so far enacted have given to the industrial boards the power of fixing "the hours of employment" in any industry under consideration. Under this provision the majority of the boards have legalized the normal 48-hour working week. It might fairly be inferred that they also have the power to shorten the labor week to less than forty-eight hours, but in two clear cut decisions by the two judges who have presided over the arbitration court, it has been decided that it is unwise for either the boards or the Court to accept this responsibility. In 1905 Mr. Justice Heydon said:

"Still, however great a blessing the establishment of the principle would be if it is really sound, I think it is not a principle to be introduced by this Court. It raises too important a political and economic question and must be decided by the Legislature."⁴¹

It is true that in some occupations, such as rock chopping and sewer mining, hours have been fixed at less than forty-eight per

³⁹ 7 I. A. R. 256, and 10 I. A. R. 245.

⁴⁰ Industrial Gazette, Vol. 4, 662.

⁴¹ 4 I. A. R. 400.

week, but even here the trade custom has been largely followed. Owing to this fact many trade unions have called for such an alteration in the definition of "industrial matters" as will put the determination of a working week within the discretion of the boards. Against this position, it is urged that such a delegation of power might result in the serious disorganization of industry owing to diverse judgments of various boards. As a solution of this difficulty, the recent Royal Commission of this state proposed that the power of fixing hours, limited to a certain numerical minimum, be given to the boards, subject to the condition that it be exercised only in those cases where longer hours would be injurious to health.⁴² Were this suggestion to be followed out, definite information, such as the mortality and health data of leading insurance companies, could be relied upon instead of the ordinary argument usually employed in taking direct legislative action upon such questions. Should the Court or the boards formulate the principles for shortening the labor week upon such materials and subject to such limitations, there would be little risk to the well being of industry. Some such alteration in the present method is desirable both from the standpoint of national health and industrial economy.

E. The Term of an Industrial Agreement

Under the present arbitration law the existence of an industrial agreement is sometimes the occasion of industrial strife. Recently a strike occurred in the gas industry after the Court refused the application of the employees for a board.⁴³ This refusal was based upon the fact that employers and workers were at that time bound by an industrial agreement which had not yet expired. Inasmuch as many instances have arisen where an increase in the cost of living or a general upward movement of wages has made unfair the unaltered continuance of an existing award, there is no just reason why industrial agreements should be held to such a rigid rule. To remedy this weakness and prevent such agreements from being discredited by their very rigidity, the Commission of 1913 suggested that the boards be given the power

⁴² Industrial Gazette, Vol. 4, p. 671.

⁴³ 12 I. A. R. 46.

to vary the terms of these compacts.⁴⁴ If this suggestion is followed out it will do much to redress grievances and promote the success of conciliation.

F. The Appointment of a Reference Board

Another suggestion, likewise made by the Royal Commission, which would facilitate the smooth working of the act, is that a board of reference be appointed by the industrial board (including itself) to be called into being upon the application of both parties, for the settlement of disputes, the interpretation of awards or of duties arising out of an award.⁴⁵ Such a board was a frequent feature of such collective bargaining as took place before the initiation of compulsory arbitration. Employers and employees have frequently maintained that such an informal body has been a valuable agent in the solution of many industrial difficulties. The utility of such an arrangement lies chiefly in the fact that it provides a friendly yet intelligent tribunal which may settle and dispose of questions concerning the violation of the law, without the resort to a formal prosecution, the only method now open to secure the interpretation of an award. Small employers are often quite sensitive to the risk and notoriety of being fined even a small amount in cases of this sort. By thus making legal action unnecessary for settling bona fide disputes, a way would be afforded for the disposal of all cases except those of outright aggression and injustice.

3. STRIKES AND LOCKOUTS

It is well known that since the inauguration of a system of legislation specifically intended to preserve industrial peace, that strikes and lockouts have occurred. These disturbances have happened in spite of all deterrents, and in the opinion of some people are partially due to them. In 1908 Mr. Aves declared that to put it temperately, "the stringent provisions have been found not to be effective." However, he noted the fact that there were only thirteen actual instances where employees had directly refused to obey the law by striking during the existence of an award.⁴⁶ Inasmuch as the total number of strikes during the same period was 110, it will be seen that the arbitration law cannot be held re-

⁴⁴ Industrial Gazette, Vol. 4, p. 676.

⁴⁵ Ibid., p. 668.

⁴⁶ Aves, p. 114.

sponsible for these outbreaks. Before proceeding to draw any conclusion as to the effectiveness of strike prevention, it will be well to examine in more detail the facts for the whole period of time during which the arbitration system has been in force.

The number of strikes occurring under the act of 1901 at the time Mr. Aves made his investigation has already been noted as 110. A somewhat larger number was reported by Mr. Harris Weinstock, special labor commissioner of the state of California, who secured his data from the private files of the Registrar, Mr. G. C. Addison. According to Mr. Weinstock the total number of strikes from 1901 to and including the first three months of 1908 was 186. Fully half of these strikes occurred among men engaged in mining. The number of strikes taking place during this period in direct violation of awards coincides with that reported by Mr. Aves, namely 13.⁴⁷

Since 1908 more accurate records concerning strikes and lockouts have been kept. According to Mr. Trivett, the Government Statistician of New South Wales, there were 66 strikes between July, 1908, and December, 1911, only 36 of which were of material importance. Of the total number, 17 were settled by compromise conceding a part of the strikers' demands, 10 were the subject of inquiry, 8 were adjusted, 8 apparently failed to secure their objects, 5 resulted in prosecutions, and 4 were merged into more extensive strikes. Here, as before, almost 50 per cent. of the strikes recorded affected the coal mining industry.⁴⁸

One of the best sources of information upon this subject is the report upon Industrial Dislocations made by the Industrial Registrar in February, 1914. This report contains exhaustive statistical material covering the period from July 1, 1907, to December 31, 1913. The term "dislocation" as used in this report, while it includes strikes and lockouts, connotes more than these words do and includes those cases where no fault is imputed. The term "workers involved" means not only the persons who directly abandoned or were deprived of work, but also those who indirectly suffered the interruption of their occupation by the dislocation. Thus a strike of one section of coal miners may have thrown out

⁴⁷ Great Britain, Memoranda of the Labour Department of the Board of Trade Relating to Laws Affecting Strikes and Lock-Outs, 1912, p. 21.

⁴⁸ New South Wales, Official Year Book, 1912, p. 913.

of employment the entire force. These limitations must be kept in mind when considering the statistics submitted.

The total number of dislocation reported from 1907 to 1914 was 970, of which 539 or 55.6 per cent. concerned the mining industries. This fact is conspicuous by reason of its agreement with the reports of Mr. Aves and Mr. Trivett, each of which covered different periods of time. When the number of dislocations according to years is considered, it will be seen that disregarding the half-year 1907, the amount of industrial strife consistently decreased in the mining groups until 1910. In the non mining groups no such consistency is evident. However, the number of dislocations was less in 1913 than it was at the beginning of the period, in spite of the upward incline during the past two years. The following table shows the percentage of dislocations falling in each respective year.

PERCENTAGE OF DISLOCATIONS BY GROUPS OF INDUSTRY,
1907-1913⁴⁹

| Year | Mining Industries | Non mining Industries | All Industries |
|------------|-------------------|-----------------------|----------------|
| 1907*..... | 3.5 | 2.5 | 6.0 |
| 1908..... | 14.4 | 8.6 | 23.0 |
| 1909..... | 9.4 | 6.1 | 15.5 |
| 1910..... | 5.0 | 9.0 | 14.0 |
| 1911..... | 5.4 | 5.6 | 11.0 |
| 1912..... | 8.3 | 4.8 | 13.1 |
| 1913..... | 9.6 | 7.8 | 17.4 |
| Total..... | 55.6 | 44.4 | 100.0 |

* July-December only.

In general it may be said that these figures reflect fairly well the industrial history of the state. The comparative prosperity following 1908 was temporarily checked by the general coal strike of 1909-10. In immediately recent years there has been a recovery of trade accompanied by renewed efforts on the part of the workers to share in the betterment of conditions.

⁴⁹ Industrial Gazette, Vol. 4, p. 1083.

In determining the magnitude of these dislocations, the chief factors considered have been the number of workers involved and the number of working days lost. According to this measurement the mining industries are responsible for 74.9 per cent. of the workers involved in, and 86.6 per cent. of the working time lost by industrial warfare.⁵¹ In 1913, 42,043 workers were at some time out of employment for this or similar reasons with a loss of 357,355 working days.

However, it should not be forgotten that in each year a few extensive disturbances have contributed considerably to the aggregate time lost. Forty-four dislocations representing only 5.7 per cent. of the total number and involving only 29.6 per cent. of the workers were responsible for practically 80 per cent. of the working time lost, as against 20.2 per cent. for all other dislocations.⁵² Twenty-six of these principal disturbances occurred in connection with the coal mines located in various parts of the state. When it is also remembered that of the 772 dislocations completely reported, 362 were of one day's duration or less, it is evident that strikes and lockouts are not as serious an evil for industry as a whole as they might appear to the ordinary onlooker.

The causes of these dislocations are familiar to all students of industrial disputes. Questions relating to wages have been responsible for more trouble than any other one thing. In the non-mining occupations this is conspicuously true. In the coal mining industry, however, demands relating to working conditions predominate. The employment of particular persons has been the cause of much dissension, ranking third in importance in the list of causes.⁵³ Compared to these major reasons for the halting of industry, such questions as those relating to hours and trade unionism are of little weight. The significance of these facts is apparent when it is realized that of the 3,371,389 working days lost to the state during a period of six and one-half years, 2,475,382 were lost on account of causes within the scope of the three acts, and no less than 896,007 working days were lost from causes which the systems because of their limitations could not influence. Neither

⁵¹ Industrial Gazette, Vol. 4, p. 1088.

⁵² Ibid., p. 1102.

⁵³ Industrial Gazette, Vol. 4, p. 1116.

trade unionism nor the employment of particular classes of persons are matters which can now be effectively adjudicated by the boards.⁵⁴ But while a recognition of these facts is necessary to an understanding of the situation, it is not tantamount to a failure of the arbitral system. Before coming to such a conclusion, it is necessary that we turn to some of the more optimistic phases of the state of industrial peace.

In the settlement of these same difficulties is seen the hopeful aspect, even of strikes and lockouts, which are in spite of the facts here set forth, the exception rather than the rule. Of the 970 dislocations under review, 557 were settled by the same means which created them. But it is encouraging to note that over two-fifths of them were disposed of by other methods. In 1908 arbitration was a relatively more effective factor as concerns these disputes than during the three years immediately following. However, this year marked a period of transition between two systems of arbitration, and the institution of the industrial boards. In the two years following the number of references declined to a minimum of nine in 1910. For the past three years the number of settlements by arbitration has increased consistently to a maximum in 1913. The following table illustrates in detail the facts referred to.

METHODS OF SETTLEMENT OF DISLOCATIONS IN ALL INDUSTRIES⁵⁵

| Year | Percentage of dislocations settled by | | | Total |
|--------------|---------------------------------------|-------------|---------------|-------|
| | Strike | Arbitration | Other Methods | |
| 1907 * | 2.9 | .8 | 2.3 | 6.0 |
| 1908..... | 15.0 | 2.4 | 5.6 | 23.0 |
| 1909..... | 9.6 | 1.9 | 4.1 | 15.6 |
| 1910..... | 6.8 | .9 | 6.3 | 14.0 |
| 1911..... | 5.8 | 1.6 | 3.5 | 10.9 |
| 1912..... | 7.7 | 3.3 | 2.0 | 13.0 |
| 1913..... | 9.6 | 5.5 | 2.4 | 17.5 |
| Total..... | 57.4 | 16.4 | 26.2 | 100.0 |

* July-December.

⁵⁴ Industrial Gazette, Vol. 4, p. 1121.

⁵⁵ Ibid., p. 1110.

The Work of the Court in the Repression of Strikes

As an agent for the repression of strikes, the Court under the Act of 1901 was distinctly limited. According to that statute, the offense of striking was an ordinary misdemeanor which could be prosecuted by the ordinary criminal tribunals only after leave had been given by the Court. Six prosecutions were begun after the Court had given its sanction. In the first case instituted, the Court laid down its ruling that all such proceedings could be conducted only after indictment according to the common law. Inasmuch as the only reports of these prosecutions available are the applications to the Court for leave to bring action, little is known concerning them. In one early case a conviction was obtained and the defendant fined. In 1904 a strike in connection with certain coal mines near New Castle aroused considerable attention. As there was no express provision in the award stipulating the customary notice of fourteen days before quitting work, the Court held that there was no breach of the award. Permission was given to prosecute certain men under the penal clauses of the law, but these actions were dropped when the men went back to work. Generally speaking, the Court under the original act was ineffective as a tribunal for bringing strikers to justice.

In 1908 the offense of striking was made triable before the Industrial Court only. This Court was given the power to proceed without a jury and inflict a penalty not exceeding £1,000. Under this act and its subsequent amendments, there were about one hundred and fifty convictions, four of which were for lockouts.⁵⁷ In disposing of some of the earlier cases, the new Court endeavored to emphasize the seriousness of the offense and at the same time to make the penalty as light as possible. This attitude was manifest in 1908 in the case of certain wheelers who had ceased work in order to secure the withdrawal of the summonses of another court. Concerning the penalty, Mr. Justice Haydon said, "I am making it very light, but I am very anxious that those who hear me and those who will read what I am saying now should not make a mistake and think that because a penalty is light, the powers of the Court are light and may be set at naught."⁵⁸

⁵⁷ N. S. W. Official Year Book, 1912, p. 887.

⁵⁸ Industrial Gazette, Vol. 2, p. 26.

Only two months later another dispute arose over the employment of a member and ex-president of a union, with the result that the union ordered a strike. Although there was some resemblance between this case and the former one, the Court pointed to the warning previously pronounced and fined the defendant £30 with the alternative of six weeks imprisonment.

The pronouncements of the Court in subsequent cases have been calculated to secure greater respect for the law. The difficulty of adjudging as criminal, the action of citizens who in their general conduct are law abiding, has to be contended with. This fact has been emphasized by the Court in a number of cases, notably in the one growing out of the strike of 9,000 coal miners at Bulli in 1909. Speaking of the defendants at bar, the Court said:

"I have no doubt that those men in other matters, in their private lives, are as good men as we could possibly meet. And when we talk about committing a crime, certainly, I suppose you may say it is a crime, inasmuch as it is a thing prohibited by the 42nd section—it is no crime they have committed in the ordinary sense of the word. I am not talking of them as criminals in the ordinary way; I say that they have been guilty of a breach of this, and they have been guilty of it in the most defiant manner."⁶⁰

Because of the gravity of the offense the Court then sentenced one defendant to a year's imprisonment and the others to terms of eight months each.

The very severity of the penalty of imprisonment for an offense condoned and even upheld by a large section of the community, proved to be its undoing, for it was repealed by the Act of 1912. Public opinion has shown that it does not approve of treating with the same severity as ordinary criminals, men who could be described as such only in the rhetorical sense of the term. The only penalty now provided is a pecuniary one, it being mandatory upon the Court to attach the wages of any striker in payment of his fine. This is a step toward automatic prosecution of which more will be said later. The Court also has the power to levy

⁶⁰ Industrial Gazette, Vol. 2, p. 64.

upon the funds of a union to which an offender belongs to the extent of £20, unless the union can prove that it has done all in its power to prevent the member from striking. The most drastic authority now left to the Court in regard to strikes is the right to issue a writ of injunction against the continuance or instigation of a strike, the penalty for which is imprisonment.

In the opinion of the Registrar the lighter penalties of the present law have been quite successful, so far as they have been imposed.⁶⁰ The general impression of the employers who gave evidence before the Royal Commission of 1913 was that the present provisions of the law are sufficiently stringent if they are fully enforced.

In its treatment of offenders under the present statute, the Court has not been disposed to mete out the most severe punishment within its power. Certain wharf laborers employed by the North Coast Company were fined two and five pounds each for striking.⁶¹ As the result of another prosecution, the secretary of a union was fined £5 for instigating certain plasterers to quit work. The natural result of these verdicts has been a growing indifference toward the prohibitory clauses of the act on the part of the working classes. On July 31, 1914, the judge of the Court declared emphatically that the Court itself might be exposed to serious criticism in consequence of that attitude of mind on the part of the workers, if it did not use against all offenders the full strength of the weapons placed in its hands by the Legislature. In concluding his judgment upon the appeal of the Amalgamated Society of Engineers, Mr. Justice Heydon stated the future policy of the Court:

"In future, therefore, strikes must not be surprised if fines are imposed to the full limit of £50 per man. Take this case of the Amalgamated Engineers. In ordering its men out piecemeal, it in all fairness undertakes to pay their fines. What would fines of, say £5 each on, say ten men, matter to such a union? It would be a flea bite. But fines of £50 each might affect their funds seriously enough to make them think twice about breaking the law. Similarly, if they found

⁶⁰ Industrial Gazette, Vol. 4, p. 852.

⁶¹ Ibid., Vol. 2, p. 7.

themselves called upon to show cause why they should not lose their registration, their preference, and even, on the application of the employers, their award, they might be led to respect the long arm of the law if they despised the law itself. And this is what the industrial world must reckon with in the future. I think it right now to give notice that these matters will be considered by the Court every time that strikers are brought before it. If the case seems to call for it, notice will be sent to the employers' organizations, and they will be heard on application to cancel the award; and if the circumstances require it, the award will be cancelled."

* * * * *

"Strikers are not, therefore, criminals in the opprobrious sense of the term, and may even, in certain cases, engage one's strong sympathy. It is this fact which has appealed to the Court and has led it, so far, to impose such moderate punishments. It has hoped and hoped again that the industrial world would come to respect the law which gives it such great benefits. But natural as strikes may be, the law for the good of the community forbids them, and has given the Court powers to be used for the precise purpose of preventing them, and I have been driven to the conclusion that, as the policy of leniency in the past has entirely failed to do so, it is the disagreeable but clear duty of the Court to abandon that policy."⁶²

The words of the Court clearly indicate a sense of failure in repressing industrial strife by moderate means. Whether the return to a policy of severity will be more effective remains to be seen.

The Benefits of Conciliation

No discussion of industrial peace as affected by the arbitration system would be complete without reference to the policy of official intervention initiated by the Minister for Labour and Industry in 1911, and crystallized in the Conciliation Committees established under the Act of 1912. These committees have been of marked value in allaying industrial unrest. From February to December, 1912, the Joint Conciliation Committee which operated in the Northern Colliery District determined many important

⁶² Industrial Gazette, Vol. 6, p. 338.

issues and secured the ratification of some important industrial agreements. A conference of representatives of the Transport Union and the Steamship Owners' Association avoided an extensive strike in the maritime and transport industries of the state which was being urged by Queensland organizers. In March, 1912, a crisis involving 3,000 members of the Railway Workers' Union was averted by the prompt action of the Investigation Officer, who then had charge of the conciliation work. In April, 1913, the dissatisfaction of the porters employed in the Government goods sheds became so serious that the board constituted to inquire into the industry could not handle the situation. In view of past industrial crises, it was determined to appoint a Royal Commission to make a thorough investigation upon which a satisfactory adjustment of conditions could be based. This was done, whereupon the men immediately returned to work.⁶³ These instances are illustrative of the benefits rendered to industrial peace through the preventive work of the conciliation machinery.

One fact favoring the success of mediation has been the unbroken executive direction of the work. In 1911 the Investigation Officer was chosen by the Minister to initiate the new plan. He was later appointed as Special Commissioner under the Act of 1912, to carry on the work thus begun. His efforts have met with a large degree of success, both employers and employees having recognized the practical utility of conciliation. From October 9, 1911, to December 31, 1913, the Government intervened 142 times in cases of actual or threatened disruption. In 83 cases actual dislocations were prevented, while in 56 other instances open disputes were curtailed and brought to a conclusion. Only three efforts at conciliation were unsuccessful.⁶⁴ This statement requires no comment. The facts speak for themselves. Conciliation has proved to be one of the strongest forces making for industrial peace.

From this discussion of the measures employed to "keep the peace," in New South Wales, it is evident that no one agency or method is relied upon to attain this end. During the early years

⁶³ Industrial Gazette, Vol. 4, pp. 1146-9.

⁶⁴ Ibid., p. 1147.

of the arbitration system, the Court was practically devoid of power so far as the punishment of those taking part in strikes or lockouts was concerned. The drastic penalties later placed within its discretion were used moderately at first, but in some instances to the fullest extent. When these weapons were withdrawn by public opinion, the Court adopted a more lenient policy, which it has now been compelled to reverse. In the meantime conciliation committees have assumed an importance hitherto unthought of, and have actually solved during the brief span of their existence, practically all of the difficulties to which they have given their attention.

The number of strikes and lockouts which have occurred during the period under consideration has not proved the failure of arbitration. Despite the apparent disparity between the figures of Mr. Trivett and the Industrial Registrar, there is an essential similarity between them, for Mr. Trivett included only the major contests. When allowance is made for the principal dislocations listed by the Registrar, and for those of one day's duration or less, the bulk of the remainder dwindles into insignificance. In the aggregate there was less dislocation in 1913 than 1908, although it is true that there has been a small increase during the past two years. But it is also true that arbitral methods have more and more been resorted to, to attain the ends for which these same conflicts were begun. In the light of these facts, it cannot be said that the methods of arbitration are giving place to the methods of industrial strife. So far as these facts are concerned, there is a tendency in the opposite direction.

From the present outlook, there is much reason to believe that conciliation will be a most effective means for the prevention of industrial warfare in the future. Since the institution of this policy the average duration of dislocations, considering the number of men involved, has decreased by almost two-thirds.⁶⁵ Inasmuch as the bulk of industrial conflicts concern the mining industries, it is more than likely that conciliation committees will in the future accomplish more in the way of prevention than any other one factor. The work of the boards has been facilitated

⁶⁵ Industrial Gazette, Vol. 4, p. 1146.

by the practice of conciliation and will continue to serve the cause of industrial justice and hence the cause of industrial peace. As a part of the entire arbitration scheme, the Court will be no less important in the future than in the past; it is the last resort when the efforts of boards and committees have failed in disposing of the issue. But as an agent making for industrial peace, its influence is most likely to assert itself indirectly. Public opinion has frowned upon the former extremes of the law. Moderate penalties have failed to maintain a proper respect for law, and it now remains to be seen whether the new policy of the Court will accomplish the ends desired. If it does, the success of peaceful methods in industry will be greater than ever before.

It now remains for us to notice a few alterations in the law which might lessen the probability of strikes and lockouts. As the law now stands, a board has no power to refuse to hear a case even if the prosecuting union is on strike. In order to prevent this double method of redress by strikes and by award, the Royal Commission of 1913 suggested that the boards be given power to suspend a hearing whenever a substantial part of a claimant union is engaged in a strike.⁶⁶ If this were done, it would deprive the striking union of any advantage it might expect to gain by an appeal to law, while employing the cruder methods of self redress.

Another suggestion which has some merit, is that it be made permissive for a named industrial authority to take a secret ballot whenever a union is contemplating a strike, without allowing an affirmative vote to legalize a strike. A similar ballot taken while a strike is in force may have the effect of cutting short an expensive struggle through the will of those most concerned. It has been the opinion both of union leaders and employers that such a vote would in many cases result in a declaration of the union against striking.

Reference has already been made to the duty laid upon the Court of attaching the wages of any man convicted of striking. It has been advised that this procedure should be carried a step further and prosecutions themselves be made automatic. At present the prosecution of those guilty of strikes and lockouts

⁶⁶ Industrial Gazette, Vol. 4, p. 654.

is left in practice entirely to the Executive. Because of the hostility of employees, employers are averse to further inflaming their minds by an action against them for the offense already committed. It is claimed that the public attitude toward particular strikes is apt to influence the Executive determination, and that therefore it should be the duty of some such officer as the Registrar to bring before the Court all the evidence obtainable immediately after a strike breaks out. Upon the Court directing a prosecution, this officer could take all the necessary steps to carry it out.⁶⁷ Such an amendment of the law would make prosecutions for strikes and lockouts practically automatic and remove such of the present uncertainty as to punishment as now exists. It would undoubtedly tend to make the deterrent embodied in the statute more efficient.

Whatever the actual effect of the suggestions here noted might be upon the actual number of strikes and lockouts, they would no doubt tend to make the administration of the law more effective in this respect. Upon the whole, the character of the executive and judicial officials in charge of the act has been of a high order. The utterances of the Court attest the high purposes of those occupying the bench; and the success of conciliation has demonstrated the sincerity and efficiency of the efforts directed toward that end. To these facts as much as to any other is due the success which has been attained in the handling of difficult industrial situations.

4. ENFORCEMENT

A. The Function of Inspection

As in New Zealand, the inspection of awards and their enforcement was at first left to the unions. The duty of enforcement therefore fell naturally upon the secretaries of the unions. In the case of an early saddlers' award mentioned by Dr. Clark, it devolved upon the Sydney union to prosecute for breaches throughout the state. The Court decided that it was impossible to visit twenty-nine country towns and that it would be a hardship upon the employers to bring them all to Sydney. Hence the suggestion was made to the secretary that he settle as many cases out of court as possible and try to secure the co-operation of the Sydney em-

⁶⁷ Industrial Gazette, Vol. 4, p. 355.

ployers' union in enforcing the award. This he did, the amount asked for in settlement being the railway fare from Sydney and in some cases a sum equal to \$2.43 for expenses. This naturally aroused much criticism as in several instances it made the cost of a settlement amount to \$15 or \$20, a large sum to a country saddler who had unintentionally violated an award by working Saturday afternoon to repair a broken harness.⁶⁸ In justice to the workers, it should be said that as a rule they did not favor this method of outside settlement, but desired to have every breach legally tried and the penalty imposed by a regular tribunal. In 1908, Mr. Beeby, since Minister of Labor, speaking of trade unionists in an interview published in *The Star* (Sydney) said:

"They urge further that the administration of the Act should be placed in the hands of Government inspectors. At present the only person who brings before the Court breaches of the awards are secretaries of unions. The unions don't want this responsibility. They ask that the awards of the Court shall be administered in the same way as the Early Closing Act or the Factories Act."⁶⁹

This demand was met in 1908 by a provision for the appointment of inspectors upon whom was placed the duty of reporting all breaches of the law to the Registrar, who could then take such action as he saw fit. Not until 1911, however, was the work of inspection and enforcement put upon the present efficient basis. In that year an Investigation Officer was appointed, whose chief function was to review the reports of inspectors, receive and record complaints as to breaches of awards, and direct prosecutions based upon such evidence as should be submitted to him. These inspectors were made subject to his direction, and in general carry out his orders. There are now nine such inspectors in addition to the regular factory inspectors who incidentally give some attention to the observance of the awards. Prior to June 30, 1912, over two thousand complaints were received; 730 prosecutions were initiated of which 18 were withdrawn, 5 were struck out by consent or otherwise, and 24 were dismissed upon their merits.

⁶⁸ Bulletin of the Bureau of Labor, No. 56, p. 129.

⁶⁹ Aves, p. 172.

From July 1 to December 31, 1912, 778 suits were instituted, of which only 40 were dismissed and 24 withdrawn. From the institution of the new plan in June, 1911, to the end of the following year, over £4,000 was paid to employees as back wages, much of it out of court.⁷⁰ These facts amply demonstrate the merit of the present plan of enforcement.

B. The Work of the Courts in Enforcing Awards

The courts of the state in their sphere, are no less important in securing the enforcement of awards than are the inspectors. Subject to certain limitations, all violations of awards may be tried in the Court of Arbitration and in the several inferior courts established for a similar purpose. The following table shows the amount of litigation concerning the enforcement of compulsory arbitration since the system was established.

DISPOSITION OF SUMMONSES FOR BREACHES OF AWARDS⁷¹

| Year | Summonses for Breaches | | | Total |
|-------------------------------|------------------------|------------|-------------------------|-------|
| | Convictions | Dismissals | Withdrawn or Struck out | |
| 1902 | 5 | 3 | 1 | 9 |
| 1903 | 75 | 41 | 28 | 144 |
| 1904 | 30 | 38 | 115 | 183 |
| 1905 | 11 | 41 | 50 | 102 |
| 1906 | 17 | 2 | 4 | 23 |
| 1907 | 14 | 11 | 13 | 38 |
| 1908 | 56 | 11 | 171 | 238 |
| 1909 | 234 | 84 | 241 | 559 |
| 1910 | 447 | 162 | 306 | 915 |
| 1911 (to June 30th) | 124 | 40 | 20 | 184 |
| 1912 | 798 | 177 | 123 | 1,098 |
| 1913 | 1,911 | 455* | ..... | 2,366 |

* Combined figure for dismissed and withdrawn cases.

It will be noted from glancing over the above table that the proportion of "cases withdrawn" has become substantially

⁷⁰ Industrial Gazette, Vol. 2, p. 803.

⁷¹ Official Year Book, 1912, p. 889, and *Ibid.*, 1913, p. 924.

smaller since the advent of the departmental plan of prosecution and inspection. One fact which helps to explain the large number of convictions in recent years is the creation of the Industrial Registrar's Court by the Amending Act of 1910. The activities of that court in regard to breaches have been as follows:

BREACHES TRIED BY THE INDUSTRIAL REGISTRAR'S COURT
1911-1912⁷³

| Year | Awards | | | Agreements |
|--------------------|-------------|------------|-----------|-------------|
| | Convictions | Dismissals | Withdrawn | Convictions |
| 1911 | 403 | 189 | 592 | 7 |
| 1912 (to June 30). | 259 | 81 | 340 | ..... |

In order to further lighten the work of the Arbitration Court, the Act of 1912 provided for the appointment of Industrial Magistrates. These minor courts may entertain suits for breaches, the recovery of penalties, and other cases of a like nature subject to appeal. In this way the Arbitration Court is freed from a large amount of routine work and can give its time to the most important cases. To begin with, only one magistrate was appointed. As the Arbitration Court was otherwise occupied during the months immediately following, practically the only court available for the hearing of summonses was that of the Chief Industrial Magistrate. The demands made upon this body were such that by Oct., 1912, it was necessary to create two more such courts. For the time being these were sufficient but during the following year complaints concerning the delays incident to prosecutions became so common that the Minister for Justice concluded that there was a real need for increased magisterial services. Accordingly he determined to appoint thirty-eight country police magistrates as Industrial Magistrates. Steps were also taken for the relief of the courts operating in the city areas. The need for these additional appointments is evident when it is known that during the year 1913, three Magistrates heard 2,163 cases.⁷⁴ Although only about one-quarter of these were contested, it was difficult to meet the requirements of the litigants,

⁷³ Official Year Book, 1912, p. 888.

⁷⁴ Industrial Gazette, Vol. 4, p. 845.

to say nothing of the burden upon the judges themselves. Because of the changes which have been made during the past two years, the Industrial Courts of the state are now able to accomplish their work with far more facility and despatch than has been possible heretofore.

C. Weaknesses of the law relative to award enforcement

Repayment of a part of the weekly wage to the employer is a form of evasion which has been known in other countries besides New South Wales. Deductions from the full wage fixed by an award or agreement are clearly forbidden by the law. But in a recent case, an Industrial Magistrate decided that the repayment by a carpenter of a rent of 2s. per day for the use of tools was not shown to have been a deduction within the meaning of the Act.⁷⁵ An appeal was brought against this decision, but the Court held that such a finding of fact could not be reviewed. However, the Court stated clearly that its decision was based upon the question of fact, and not upon a question of law, which apparently was not emphasized by the appellant. At present, therefore, the law concerning this point is in a state of uncertainty. This is in contrast to the situation in New Zealand where Mr. Justice Sim ruled that no such cloak can "hide what in effect is a breach of an award."

Undesirable as the results of such a practice may be in general, it is infinitely worse when it touches the condition of the outworkers. Although outworkers are few in number and sweating as such is practically extinct in New South Wales, some employers still charge their workers for the materials used in making up their work. In order to effectually prevent this, it has been suggested that the present law be amended so as to make any payment for the use of tools or materials clearly illegal, unless it is provided for by an award. It is also deemed advisable to compel all employers having outworkers to collect and deliver the goods to them.⁷⁶ Two such changes in the present law would add much to its effectiveness in this respect.

Somewhat related to the subject just mentioned, is the existence in one or two trades of certain forms of contract letting which

⁷⁵ 12 Industrial Arbitration Reports, 103.

⁷⁶ Industrial Gazette, Vol. 4, pp. 652, 663.

have the effect of evading the control of the industrial boards. Instances of this have been found in the bespoke boot-making trade. It is said that some large general stores act as clearing houses for repair work, and that the boots thus taken in hand are farmed out to contractors who call, take the boots away, and get them done at whatever rates they can induce the workers to accept. The contractors apparently run no risk because they are not employees of the store, and even the store itself is not in the business of bespoke boot-making. In the opinion of the recent Royal Commission, it is very doubtful whether such a device can be seriously defended against the charge of breaking the award rates. None the less, it recommended that the Boards be given the power of declaring all such contracts void. There would in that case be no possible shield of legality for those resorting to such devices.

Aside from certain recognized weaknesses such as those mentioned, the administration and enforcement of the arbitration law has been quite successful. The awards have been enforced against both employers and employees alike. Most of the prosecutions have been directed against the employers, but this has been due to the fact that the obligations of awards are particularly directed at the person in control of the industrial situation. Difficulties have been encountered it is true. The presence of Chinese workers constituted much the same problem as in Victoria. In order to better enforce the law, the services of a Chinese interpreter have been employed. Inspectors have gone in pairs in order to corroborate evidence. However, the problem is now decreasing in importance, for the Chinese population in New South Wales is constantly diminishing.⁷⁷ Collusion between employers and employees has been hard to prevent, yet many employees have been equally prosecuted and fined with employers for such offenses. But in general, the violation of awards is quickly and surely dealt with. This has been especially true since the institution of departmental enforcement. Many of the offenses reported are minor in character, due often-times to ignorance or misunderstanding. Speaking of the way in which the arbitration law is complied with, Mr. Wise, founder of the system of New South Wales, says: "Both in New Zealand and New

⁷⁷ Official Year Book, 1912, p. 91.

South Wales the orders of the Arbitration Court are obeyed as frequently, and from the same law-abiding sense as the orders of any other Court."⁷⁸ In the last analysis this is the secret of the success of all government, the acceptance of law by the governed. To this, as much as to administrative devices, must be attributed the working success of arbitration legislation in this country.

5. THE ISSUE OF PERMITS

Under the first arbitration system the claims of slow and infirm workers were dealt with according to the manner prescribed by the Court. Sometimes this was arranged by the employer and worker concerned, and sometimes by the Registrar. More often, however, the workers' union was given complete jurisdiction as the body most apt to deal justly with such claims. From 1908 to 1912 the authority in these matters was divided between the boards and the Registrar, who now has the sole power to issue all such certificates. Although at first a number of slow workers in the boot trade were thrown out of employment in spite of the provision made for them, this was probably due to conditions similar to those obtaining in other states. In the main the system has worked excellently, as the late Royal Commission testified.⁷⁹ The judgment of the Registrar is usually final. Of the applications for permits filed during the year 1913, 355 were granted and 130 refused. Only those handicapped by slowness or suffering from a real incapacity are allowed to work for less than the award rate. Owing to a decision by the Court that a permit to employ a slow worker at a certain rate places that worker outside of the authority of an award, it has been said that such a person may be paid whatever he is willing to accept from his employer. In order to clear up this uncertainty, the Commission recommended that the law be amended to the effect that a permit shall only avail an employer so long as he obeys its conditions. With this alteration, the likelihood of an abuse of this privilege would be avoided. As it is, the issue of these certificates takes care of the industrial unfortunates and gives industry the benefit of their services.

⁷⁸ B. R. Wise, *The Commonwealth of Australia*, p. 316.

⁷⁹ *Industrial Gazette*, Vol. 4, p. 679.

6. ADMINISTRATIVE COST AND EFFICIENCY OF THE INDUSTRIAL BOARDS AND THE ARBITRATION COURT

Sufficient reference has already been made to the congestion of business suffered by the original arbitration court. From experience it is evident that a single court system is not equal to dealing with the numerous demands made by all classes of industry in a state of this size. One of the outstanding features of the new system is the greater number of awards turned out. Whereas in a period of six years and four months, the first Court made but 89 awards, the combination system of 1908 produced in three years and nine months no less than 258 principal and 146 subsidiary awards. Up to March 31, 1913, 52 principal and 22 subsidiary awards were promulgated under the Act of 1912.⁸⁰ So far as the number of orders put into operation is concerned, the industrial board plan is much more efficient than a single court.

Despite the large number of awards produced under the new system, there has been considerable complaint about the delay in arriving at an award. It takes all the way from one week to a year or more for a board to dispose of a claim. This is due to the fact that as a rule the board chairmen are barristers in practice, unable to give continuous sittings in the day time. Some of the board members are likewise limited. Consequently hearings are generally held at night. Similar considerations have prevented night sessions from being continuous, the result being that an immediate decision is sacrificed to the convenience of the parties engaged in the investigation. It has been charged that the fees paid to board members have influenced many boards to unnecessarily prolong their sessions, but such action is hard to prove. Lengthy adjournments as well as the disposition of inexperienced board members has caused a repetition of evidence which has not conduced to expeditious procedure. It has been claimed that in this respect the boards of Victoria are superior to those of New South Wales, but even there, complaints of delay are not unknown. But it should be remembered that the wider area of jurisdiction of the boards in this state has probably militated against such expedition as has been attained in Victoria.

⁸⁰ *Industrial Gazette*, Vol. 3, p. 517.

No better information upon the cost of arbitration systems is available than that compiled by Mr. J. B. Holme, the Industrial Registrar. The cost of administration of the system established by the Act of 1901 was as follows:⁸¹

| | £ | s. | d. |
|---------------------------|--------|----|----|
| 1901-2 (six months) | 1,624 | 10 | 10 |
| 1902-3 | 4,134 | 8 | 9 |
| 1903-4 | 5,918 | 17 | 2 |
| 1904-5 | 5,239 | 12 | 10 |
| 1905-6 | 5,475 | 19 | 6 |
| 1906-7 | 5,056 | 6 | 5 |
| 1907-8 | 5,749 | 16 | 9 |
| Total | 33,199 | 12 | 3 |

Similarly the cost of all features of administration under the Act of 1908 has been as follows:⁸²

| | £ | s. | d. |
|---------------|--------|----|----|
| 1908-9 | 7,927 | 6 | 4 |
| 1909-10 | 13,366 | 10 | 11 |
| 1910-11 | 13,506 | 16 | 10 |
| 1911-12 | 16,253 | 13 | 8 |
| Total | 51,054 | 7 | 9 |

Of the total sum listed here, £30,322, was paid for the fees and expenses of boards only. The Court and general administration for the same period cost approximately £20,732, or an average of about £5,000 a year, as against the expenditure for the period 1903-8. Thus, leaving the boards out of consideration, general administrative expenses have been reduced during the last few years.

The cost of the boards however, has constantly become heavier, owing in part to the increasing amount of work demanded of them. This expense is somewhat larger than has been the case in Victoria as will be seen from the following table:

⁸¹ Industrial Gazette, Vol. 1, p. 1053.

⁸² Ibid.

COMPARATIVE COST OF THE BOARD SYSTEM IN NEW SOUTH WALES AND VICTORIA⁸³

| Year | New South Wales | Victoria |
|---------------|-----------------|----------|
| 1908-9 | £3,116 | £2,592 |
| 1909-10 | 8,620 | 3,252 |
| 1910-11 | 7,524 | 8,373 |
| 1911-12 | 10,473 | 9,922 |
| 1912-13 | 13,635 | ..... |

Notwithstanding the large aggregate increase in board expenses, the average cost per board has only risen from £95 in 1908 to £103 in 1913, or less than ten per cent. This sum may easily be accounted for by the larger range of each board's activities at present.

An important contributing factor to the expense of the boards as a whole, is the cost of a comparatively small number of awards. An award made for the butter, cheese, and bacon factories scattered throughout the state was produced after a board had sat for a total of 575 hours at a cost of £1,300. One or two other awards demanded an expenditure of from £500 to £1,000 each. It is of interest to note that under the Act of 1912, a much larger proportion of low priced awards has been produced than under the Act of 1908. At the same time the average cost of awards has fallen from £81 17s. 11d. under the former law, to £79 3s. 4d. under the Act of 1912. The following table shows the distribution of awards according to cost under the system established by the Act of 1908.

Distribution of Awards According to Cost⁸⁴

- 1 award was produced at a cost of over £1,300.
- 5 awards were produced at a cost of between £500 and £1,000 each.
- 14 awards were produced at a cost of between £300 and £500 each.
- 20 awards were produced at a cost of between £200 and £300 each.
- 58 awards were produced at a cost of between £100 and £200 each.
- 76 awards were produced at a cost of between £50 and £100 each.
- 76 awards were produced at a cost of between £20 and £50 each.
- 50 awards were produced at a cost of between £10 and £20 each.
- 25 awards were produced at a cost of between £5 and £10 each.
- 79 awards were produced at a cost of under £5 each.

⁸³ Industrial Gazette, Vol. 4, p. 425.

⁸⁴ Industrial Gazette, Vol. 3, p. 578.

Despite the fact that the cost of awards has fallen slightly during the same time that the work of the boards has greatly increased, there is no doubt but that the present expense of these tribunals is beyond anything that was previously anticipated. After a careful computation of the judicial output in awards and other orders under each of the three systems, Mr. Holme demonstrated to the recent Royal Commission that three judges with the status and salary of Supreme Court judges, presiding over tribunals of the first instance, could dispose of most of the business now brought before the boards. The Commission believed that such a plan would materially reduce administrative expenses. Partially to further this end, the abolition of the fees of lay members was recommended. Although no evidence was adduced to sustain the charge that board proceedings were prolonged by members desirous of earning fees, the Commission was of opinion that the change should be made for quite different reasons. It was felt that as compensation for time lost, the present fees are inadequate for employers and excessive for employees. As the workers are frequently represented by their paid union secretaries, it was not thought that the abolition of fees would put the unions to much additional expense. As a form of public service, it was believed that board membership by reason of its dignity, would appeal to the ablest men in the several industries. At the same time every incentive would be given for the earliest completion of an award compatible with adequate treatment.⁸⁵

Whether these recommendations of the Commission are practicable from other viewpoints may be open to question, but if enacted into law, they would likely have an appreciable effect in reducing the expenses of administration. The abolition of the fees of lay members as a step in this direction, is worth considering. But while the financial burden of making and enforcing awards is considerable, it should not be forgotten that large interests are at stake. In order to safeguard these properly, steps in the way of administrative retrenchment should be taken with caution. Considering the esteem with which the arbitration system is regarded by the country as a whole, there is every reason to believe that the people are willing to pay the price for fair play in their industrial dealings.

⁸⁵ Industrial Gazette, Vol. 4, p. 433.

V. CONCLUSION

In concluding our consideration of arbitration legislation in New South Wales, it may not be amiss to restate by way of summary, some of the principal facts and tendencies already noted. Conceived as the most drastic in its provisions of the arbitration systems hitherto evolved, the Act of 1901 failed in many respects to accomplish the ends for which it was designed. The jurisdiction of the Court was encroached upon by the adverse decrees of higher legal tribunals, until it had little confidence in the finality of its own rulings, to say nothing of those persons subject to its authority. Furthermore, the Court was inadequate to transact all the business incidental to its functions, and as a consequence it was congested with pending applications to the dissatisfaction of its patrons. The awards were but imperfectly enforced and the efforts of the Court to punish strikers were comparatively ineffective.

By the combination of an arbitration court with a system of industrial boards, the Act of 1908 sought to deal more effectively with the numerous claims made by both workers and employers. In this attempt the act was successful to a large degree. The number of awards and orders produced was multiplied several times. Disputes were passed upon with greater dispatch, thus alleviating much industrial unrest. But the overlapping of awards constituted a serious administrative difficulty which finally led to a complete overhauling of the plan for the appointment of industrial boards. The present method, while an improvement over the old, has already demonstrated the impracticability of constituting boards according to a strict schedule laid down by the Legislature. In practice the Court does not adhere to the letter of the law, but departs from the principle of craft boards whenever the exigencies of a particular situation so demand.

The contrast in procedure between the boards of Victoria and of New South Wales has already been noted. The taking of evidence, the examination of witnesses, and the formal weighing of fact in a semi-legal atmosphere are necessarily incidental to awards which are compulsory in the strictest sense of the word, yet the wisdom of combining a judicial court with deliberative boards in a com-

pulsory system is still open to question, despite many ardent supporters of the present plan. Every increase of wages by one board is used as an argument for further advance by members of other boards, regardless of individual and special conditions. The chairmen are often outvoted and seldom bring appeals to the Court. The Court which was intended to be the bond of unity between the various boards, would be overwhelmed if it systematically attempted to bring the various awards into harmony. The result is that inequalities exist, which unless corrected are likely to produce discontent. In a letter dated September 18, 1913, favoring an extension of the arbitration principle, Chief Justice Heydon discussed some of the weaknesses of the present combination plan as follows:

"I am of opinion that the attempt to mix the Wage Board and the judicial system is a mistake. The old Court was very popular with the unions; the Commonwealth Court is also very popular. The introduction of Wage Boards at once brought with it the endless and bottomless question of craft versus industry — a dispute the principles underlying which are forever arising and being invoked even by crafts against each other. Then the question of representation on the boards and before the boards is interminable, and so long as the Wage Board system exists will continue, and will operate to subdivide and multiply boards. The man who works with a spade is quite content that a judge should deal with his case, but not that a man who works with a shovel should do so. He at once demands a separate board, with representation of the spade man."⁸⁶

To meet such difficulties as those mentioned, the recent Royal Commission recommended the appointment of three arbitration judges and the curtailment of the board system. These opinions and recommendations prove nothing as to the future action of the people; but they do indicate the perception of a serious administrative weakness and a desire to remove it.

In other matters of administration the arbitration system has been quite successful. Breaches of the act are successfully prosecuted. The work of the inspectors has been co-ordinated, and in the main the law is well complied with. Permits are promptly

⁸⁶ Industrial Gazette, Vol. 4, p. 440.

issued to those who need them. The appointment of additional Industrial Magistrates has made possible the adequate disposition of ordinary cases. Conciliation committees are proving largely instrumental in the prevention of strikes. At the same time the general expenses of administration (exclusive of the boards) are lower than under the act of 1901. In these respects it may be said that the administrative machinery has worked smoothly and with an increasing economy of effort.

From a social and economic standpoint, the effect of the awards of the boards and the Court is not unlike that in other states. Wages have been raised, in some instances decidedly. Women have profited from conditions established, sometimes to the detriment of the men. The cost of living has increased, but not because of the rise in wages. Unemployment has apparently decreased. The great outstanding feature of the labor situation is the shortage of skilled labor. Until this can be adequately met either by a system of technical education or a supply of workers from abroad, the development of industry will be handicapped. It may be argued that under such conditions arbitration has not been fairly tested. Yet it should not be forgotten that the system was initiated during a period of depression, and that prosperity has not always ruled since that time. The fact that progress has not been thwarted and that wealth has steadily increased under a system of thorough-going regulation is most significant.

Among the effects of wage regulation such as shorter hours, higher wages, and improved working conditions, is one important phase of development which should not be overlooked, namely, the growth of trade unionism. Unionism has been a most potent force in upholding the rights of labor in this state. Its strength has been due in a large measure to the arbitration law, which makes organization indispensable to participation in the privileges of the Act. This requirement distinguishes the compulsory arbitration systems of Australasia from those in which wages boards are the central feature. Although unionism in the women's trades has barely gained a foothold, there has been a remarkable growth in the number of women unionists in recent years. At present there is every reason to believe that organization will mean to the women workers of the state, what it has hitherto meant to their brothers.

In forming an estimate of the plan of New South Wales, its deficiencies are not to be minimized. Stringent prohibitions have often-times failed to prevent strikes. Prices have sometimes been forced up upon the mere pretext of a wages award. Collusion between employer and employee to evade the law has not been unknown. Awards have overlapped. The whole subject of the constitution of boards and their relation to the Court is debatable. Harassed by the adverse decisions of higher tribunals, the confidence of the Court in itself has at times been shaken, yet notwithstanding all this, the people have shown no desire to abandon the principle of the legal regulation of the terms of contract. Six times the system has been amended or remodeled, and each time more extensive powers have been conferred upon the servants administering the law. Despite industrial unrest, the kindly relations existing between many employers and their employees have often been a matter of comment on the part of the inspectors.⁸⁷ In commenting upon the operation of the principal act which has been in force, the Industrial Registrar wrote:

"It can be said without reservation, that the establishment of the extensive code of industrial law comprised in the 430 awards of the period from July, 1908, to 18th April, 1912, made for prosperity and peace."⁸⁸

Over four-fifths of the loss due to strikes and lockouts is attributable to the mining centres of the state, which have always been a source of vexation to the authorities of the law. But even there conciliation is making remarkable headway. In no other state has the principle of the living wage been so ably enunciated, or the wage itself been so clearly defined and accurately fixed. But in the practical application of the principle, the minimum wage has often been fixed higher than the living wage. While there are strong arguments against this practice, it has guaranteed to the workingman a share in the fruits of prosperity. It has given him a foothold in his struggle for better things. For this reason if for no other, compulsory arbitration is entitled to consideration as one method of solving the problem of the underpayment of the working classes. Admitting the disadvantages of wage regulation as exemplified in this state, it deserves a hearing as a solution for one of the most serious of our industrial ills.

⁸⁷ Report on the Factories and Shops Act, 1910, p. 23.

⁸⁸ Industrial Gazette, Vol. 1, p. 1052.

CHAPTER IV

Wage Legislation in Western Australia, South Australia, Queensland, and Tasmania

[2155]

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WESTERN AUSTRALIA

I. INTRODUCTORY REMARKS

1. PHYSICAL FEATURES OF THE COUNTRY AND THE GENERAL NATURE OF INDUSTRY

Western Australia, the largest of all the states of the Commonwealth, embraces nearly one-third of the whole continent of Australia and with the exception of Tasmania, has a smaller population than any other state. Although the population has increased more than seven times since 1890, there were in 1912, only a little more than 300,000 persons living within an area of over 975,000 square miles. Industrially, the state is almost exclusively made up of mining, agricultural, and pastoral pursuits, and manufactures, even more than in Tasmania, are in their infancy but now vie with the mining interests of the state in the number of workers employed. Most of the industrial establishments are located at Perth, Kalgoorlie, and Freemantle, the chief cities of the state, which including their suburbs, have over 100,000 inhabitants. The principal lines of manufacture are engineering, foundry work, coach building, flour milling, saw-milling and railway construction. All told they employ over 17,000 persons, of whom over 2,000 are women.

Mining is practically equal in importance to manufacturing enterprise, and employed in 1911 over 16,000 persons. Many of the advantages incident to arbitration legislation concern these workers. Gold mining is the principal industry of the state, yielding a product in 1913 valued at £5,581,701.⁸⁹

There are two principal mining districts known as the Eastern and Murchison Gold Fields. The former is situated between 360 and 550 miles inland and has for its chief centres the towns of Coolgardie and Kalgoorlie. Murchison is likewise located, but is only about 250 miles from the coast. Both of these gold centres are isolated communities supported by a single industry and are dependent upon local markets for the necessities of life. Wages and likewise the cost of living are high. A general strike means hardship for the workers and embarrassment for their

⁸⁹ Western Australia, Hand Book by W. B. Paton, 1914, p. 26.

employers. Because of the distance from other centres of trade, both parties have a very vital interest in the conditions of contract. With these facts in mind, it will be seen that arbitration legislation is likely to mean as much to the mining as to the manufacturing interests of this state.

2. THE LEGISLATION ADOPTED AND ITS PRESENT STATUS

The motive for legislation in Western Australia was primarily the desire to enjoy the advantages which apparently were being afforded to the New Zealand people by the system in force there.⁹⁰ A factor which also influenced working class opinion was the bitter experience of many newly arrived workers, who had suffered from the mining strikes at Broken Hill, New Castle, and other coal mining centres. The general spirit of the times demanded some means to assure relief from the burdens of industrial warfare. The first law was passed upon December 5, 1900, and the work of organizing the boards and Court was completed about seven months later. However, owing to a technical defect, the act did not become really effective until amended in 1902. Thus the arbitration law preceded the first Factory Act by almost two years.

Each of these initial statutes was practically identical with the New Zealand system except in the following respects: There was no cognizance of disputes in related trades. Awards could not be extended to the entire colony, nor could they be extended to unions not registered under the arbitration law. There was no provision for the enforcement of awards by state factory inspectors, but instead, the Registrar or either party could apply to the Court for enforcement. In practice, the unions have seen to this work. Awards could not be extended to the whole business of firms where business of different trades would be involved, nor were they continued beyond the period stated. But on the other hand, strikes and lock-outs were entirely prohibited. Railway servants and all Government employees were also put within the jurisdiction of the Court of Arbitration. With these exceptions, the law of Western Australia was practically the same as that of New Zealand.⁹¹ This act, with one minor amendment

⁹⁰ Aves, p. 115.

⁹¹ Bulletin of the U. S. Bureau of Labor, No. 60, pp. 541-43.

remained upon the statute books until 1912. In that year the present law by which practically all of the exceptions noted above were removed, was enacted. The original constitution of the Court was retained by this act, three members including a Supreme Court Judge making up the tribunal. All industrial occupations are included within the jurisdiction of the act. Trade Unions may register as in New South Wales, but the conditions are not clearly laid down. Much discretionary power is vested in the Registrar, and considerable controversy has arisen because of the disposition of some unions to allow their funds to be used for political purposes.

The district boards were abolished by the present act, for as in New Zealand, they proved to be a practical failure. This was due, as in the former state, to the want of finality of their recommendations and also to the fact that the only persons in the locality and industry represented, were the immediate parties to the dispute. Of 131 industrial disputes heard in 1902-3, 108 were referred directly to the Court without a hearing by a board, while sixteen of the twenty-four cases which came before a board were subsequently appealed to the Court.⁹² After 1903 the boards were unused. As in New Zealand, the preliminary trial has been a failure.

Industrial agreements may now be filed with the approval of the Court. Special provision for conciliation has been made, by giving the President of the Court power to call a compulsory conference of persons whom he wishes to summon.⁹³ Industrial inspectors as well as the Registrar and the unions are now relied upon to enforce the awards. In this, as well as in other respects, the administrative effectiveness of the act has been enhanced. The simplicity of this arbitration system, due to the comparatively few number of workers involved, has been a factor in its working strength which has not obtained in other states.

II. THE COURT AT WORK

1. THE MAKING OF AWARDS

As we have already seen, one of the most important factors in making an award or determination, is the guiding principle

⁹² Bulletin of the U. S. Bureau of Labor, No. 56, p. 82.

⁹³ Industrial Arbitration Act, 1912, No. 57, § 120.

followed. Perhaps the Court has received as much criticism from labor people upon this score, as any other. There was no legislative definition of principle until 1912, when it was stated that no minimum rate of wages should be prescribed, which "is not sufficient to enable the average worker to whom it applies to live in reasonable comfort, having regard to any domestic obligations to which such average worker would ordinarily be subject."⁹⁴ Most of the difficulty upon this point has been due to the differing views of the two men who have alternately served as President of the Court. Mr. Justice Moorehead and his successor, Mr. Justice Burnside, both understood the minimum wage to mean a fair wage, perhaps the standard rate paid in any industry. Judge Parker, however, has understood the minimum wage to be that of the least competent man as determined by evidence.⁹⁵ In making this definition Judge Parker has followed out the direction of the Legislature to fix not a fair average wage, but a minimum rate. Some of the early decisions of both Judge Parker and Judge Burnside seem to have been influenced rather more by the effect of their rulings upon the industry than upon the worker's standard of living.⁹⁶ This attitude was due in a measure to the increasing competition of the old established industries of the eastern states at a time when the interstate tariff was being gradually abandoned.

Mr. Justice Parker has not been inclined to consider the family wage as a standard for adult men, especially in the mining industry where there are many single men.⁹⁷ Mr. Justice Burnside has also taken this fact into account, saying in the Peak Hill Miners' case: "When you ask the Court to fix a wage rate on the assumption that a man is married, I want to know that there are married men there."⁹⁸ However, two years later when the same union was before the Court, he stated that if there were no children, he could not see how the industry could continue. In one of the most recent cases, he declared that a man's wage

⁹⁴ Industrial Arbitration Act, 1912, No. 57, § 84.

⁹⁵ 2 W. A. Arb. Rep. 220. See also Bulletin of the U. S. Bureau of Labor, No. 56, p. 87.

⁹⁶ 2 W. A. Arb. Rep. 13.

⁹⁷ W. A. Arb. Rep. 50.

⁹⁸ 3 W. A. Arb. Rep. 113.

should be fixed in regard to his family obligations, but that women do not need so much.⁹⁹ It is clear from these statements, as well as from the wording of the present statute, that the recognized standard for adult men is the family wage.

The marked difference in opinion between these two judges concerning the minimum rate itself has already been noted. Mr. Justice Burnside asserts that "when a mine is rich it should give the workers a share in the prosperity."¹⁰¹ And again he says, "the cost of living is not the be-all and end-all."¹⁰² This is in line with the practice of Mr. Justice Heydon in New South Wales. Indeed it has been very difficult for laboring men to see the justice of Judge Parker's rulings under which they are forbidden the right to strike and yet are denied the right to use the Court as a means to obtain one of the principal objects of a strike, an increase in wages."¹⁰³ As Mr. Justice Burnside has presided over the Court almost continuously since 1905, this grievance has not been serious in late years. Inasmuch as the minimum living wage has been upheld by both judges in the face of interstate competition and the decline of the mining industry, laboring men have good reason to be thankful. Even Mr. Justice Parker in the Yarloop Timber award said; "unless an industry can employ men at a living wage, it is better the industry should go."¹⁰⁴ The words of Justice Burnside are even stronger.¹⁰⁵ Despite the differences of interpretation, the Court has at least been consistent in sanctioning the right of the laborer to live.

In many of the early awards such as that governing the carpenters and joiners, the Court refused to regulate apprenticeship and the employment of minors. In this matter also, the conditions of a new country were largely influential. Although for several years very little attention was given to indentures, all awards now make provision for apprenticeship.¹⁰⁶ Thus, the need for skilled workmen is now being recognized by the Court as well as by the employers.

⁹⁹ 11 W. A. Arb. Rep. 143.

¹⁰⁰ W. A. Arb. Rep. 163.

¹⁰¹ Ibid., p. 78.

¹⁰² Bulletin of the U. S. Bureau of Labor, No. 56, p. 120.

¹⁰³ 2 W. A. Arb. Rep. 220.

¹⁰⁴ W. A. Arb. Rep. 84.

¹⁰⁵ Annual Report of the Labor Bureau, 1912.

Another matter of some importance to the miners has been the refusal of the Court to abolish contract work. The unions have urged that contracts to perform the various kinds of work are relied upon by employers as a means of evasion. Notwithstanding this contention, there has been no evidence to show that contract miners earn less than those receiving wages. Mr. Aves found that the contract system had secured for the mines efficient labor, and for a number of men, higher wages than the legal minimum rate.⁷ The refusal to abolish contracts, like the refusal to give preference, has been a source of frequent criticism on the part of union leaders, but it has not been proved to be seriously detrimental to the welfare of the laboring classes.

2. THE BUSINESS OF THE COURT

As compared to New South Wales, there has been little complaint in regard to congestion of the Court. Most of the delay occurring, has been occasioned by the changing of judges or to the illness of a presiding officer. Up to the end of 1909 the Court had determined 248 disputes and sanctioned 65 industrial agreements. The importance of the latter is evident when it is known that out of a total membership of 18,132, 10,259 members of industrial unions were returned as making use of these agreements in lieu of awards.⁸ In April, 1914, there were ninety-three of these agreements in force, besides thirty-three others made by the Commonwealth Court. Eighteen awards, thirteen of which apply only to the Metropolitan areas, were also in effect, besides twelve which had not yet become operative. None of these awards cover the whole state.⁹ These facts speak well for the administrative capacity and efficiency of the Court.

III. ECONOMIC AND SOCIAL EFFECTS

1. CONDITION OF LABOR

Wages in Western Australia are higher than in any other state of the Commonwealth. Coopers who are paid 66 shillings per

⁷ Aves, p. 116.

⁸ Great Britain, Report of the Labor Department of the Board of Trade, 1912, p. 11.

⁹ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 67.

week in Adelaide, receive 80 shillings in Perth. Blacksmiths get 78 shillings for labor which generally receives 66 shillings per week elsewhere. The same is true of the rates for female labor. According to Mr. Knibbs, taking sixty-nine occupations as a basis, wages increased 13.2 per cent. from 1901 to 1912. At the same time there was an increase in the cost of living of something like 12 per cent.¹⁰ The Arbitration Court has been responsible in no small degree for this increase in the remuneration of labor, but it must also be remembered that this is a new country and that industry is expanding and labor is prone to wander. Although the proportion of female workers has increased slightly, it is very significant that taken as a whole, the masculine element of the population is extraordinarily high. There were in 1911, 133 males to 100 females as compared to 99 for Victoria, 133 for South Australia, 109 for New South Wales and 118 for Queensland. Although since 1910 there has been an increase of population due to the migration of 12,000 persons per year, in 1907 there was an excess of departures over arrivals. This fact reflects the restlessness of labor and the fluctuating conditions of employment. Unemployment has not been a serious problem, although there is a slight increase in the number of unemployed persons at present. Because the great wave of prosperity dating from 1904 failed to make itself generally felt in this state, wages have not advanced as they have elsewhere, but notwithstanding, the economic status of the worker is somewhat better than it was in 1901.

2. INDUSTRY

It was noted by Dr. Clark that the attitude of employers and those not directly affected by arbitration awards, was more favorably disposed to compulsory arbitration in Western Australia than in New South Wales. Although the material status of the mining industry has not been seriously affected by the awards, it is very possible that the decisions of the Court have in some instances prevented the speculative development of fields which might be very productive if opened up. The representatives of the mining interests have frequently complained that the decisions rendered tend to curtail employment in the gold mines.

¹⁰ Official Year Book of the Commonwealth of Australia, 1912, pp. 1129-1144.

Because many of the large veins have been running out, statistics do not show any increase in the output of the coal mines during the last few years. Since 1902 the value of coal mined has decreased from almost eight million to five and one-half million pounds yearly. On the other hand, the amount of gold produced has almost doubled.¹¹ Meanwhile the number of persons employed in mining decreased from 19,429 in 1906 to 16,596 in 1911. In the latter year several thousand pounds to encourage the development of mining were granted to the miners under the Mining Development Act of 1902. As yet, there are no returns to show whether or not prospecting has been increased by this measure.

But while the mining interests have apparently declined in importance, the same cannot be said of the factories of the state. While the baneful influence of arbitration awards has frequently been spoken of by employers, only one case was brought to the attention of Dr. Clark, where it was claimed that the influence of the act had been to prevent the investment of capital in manufacturing operations, and this was because the investor resented the interference of trade union officers rather than the conditions of the award.¹² In general, it may be said that manufactures have advanced slowly, but by no means in proportion with the growth in some of the other states. Such statistics as are available indicate that Western Australia has not shared in the general prosperity enjoyed by other parts of the Commonwealth. The condition of comparative depression was further accentuated by the prolonged dispute in the timber trade. It is very possible that the awards have sometimes been influential in placing burdens upon the employer and hence making expansion more difficult. This has been notably true in the mining industries, but it cannot be said that arbitration per se has been responsible for the past semi-stagnant condition of business, any more than it can be given the credit for the remarkable prosperity of some of the other states. The physical conditions of a great divided territory, imperfectly connected by railways or other means of communication, and a population transient to a degree not known

¹¹ Western Australia, Statistical View of Eighty-Four Years' Progress, 1913, p. 11.

¹² Bulletin of the U. S. Bureau of Labor, No. 56, p. 85.

elsewhere, have been of more importance in determining the commercial life of the state, than have the awards of the Arbitration Court. At best, these have but defined more clearly the operations of already present natural factors. The following table illustrates in a measure the progress of manufacturing.

MANUFACTURES IN WESTERN AUSTRALIA¹³

| | 1902 | 1907 | 1912 | Increase per cent 1902-12 | |
|---|-------------|------------|------------|---------------------------------|------|
| Number of establish- ments | 702 | 791 | 891 | 26.8 | |
| Persons employed .. | 12,250 | 13,545 | 17,425 | 42.2 | |
| Males | 11,206 | 11,561 | 14,789 | 31.9 | |
| Females | 1,314 | 1,984 | 2,636 | 100.7 | |
| Plant and machinery | £1,683,010 | £1,998,473 | £2,301,754 | 36.7 | |
| Total wages paid... | £1,521,338 | £1,479,458 | £2,289,745 | 50.5 | |
| Value of output..... | *£4,478,990 | | | £6,825,969 | |
| Population | 211,973 | 254,540 | 305,783 | 44.2 | |

* An incomplete figure for 1908.

3. UNIONISM AND INDUSTRIAL PEACE

In 1903 the Industrial Registrar in summarizing the effects of the act said: "The above legislation has promoted, consolidated and regulated unionism. By far the greatest number of unions of workers registered have been established since and for the purpose of registry under the act. In case of employers unions were practically unknown until the experience of masters under the act showed the necessity of organization."¹⁵ It may safely be said that the opinion thus early expressed has been confirmed by experience. There has been a steady increase in the number of industrial unions of both employers and employees registered under the act, until in 1911 there were 28,934 workers so enrolled. But more significant from the standpoint of the trade unionist is the fact that the growth of trade unions has

¹³ From the Statistical Register of Western Australia, Parts I, VI, 1902 and 1912.

¹⁵ Quoted by Dr. Clark in Bulletin of the U. S. Bureau of Labor, No. 56, p. 85.

kept an equal pace. In 1912 practically all of the men and women of the industrial classes of the state were enrolled in trade unions, which had a total membership of over 33,000 persons. The following tables illustrate the increase in number and membership of both the industrial and the trade unions:

REGISTRATION OF INDUSTRIAL UNIONS UNDER THE ARBITRATION ACT ¹⁶

| | Employers | | Employees | |
|----------------|-----------|-----|-----------|--------|
| 1901 | 7 | 54 | 56 | 8,920 |
| 1906 | 57 | 534 | 130 | 16,015 |
| 1911 | 46 | 554 | 152 | 28,934 |

NOTE.—These figures include Councils and Associations.

REGISTERED TRADE UNIONS OF EMPLOYEES ¹⁷

| | Number of of Unions | Number of of Members |
|----------------|---------------------------|----------------------------|
| 1903 | 65 | 9,999 |
| 1907 | 84 | 11,637 |
| 1912 | 97 | 33,282 |

NOTE.—The figures for the first two years are probably too low because of the incomplete nature of the returns in those years.

The history of Western Australia in regard to industrial war is scarcely better than that of any other state of the Commonwealth. There is no official record of strikes or lockouts, but more or less information is available concerning such occurrences. Up to 1909 the most conspicuous instance of a break-down in the working of the act, was the strike in the saw-milling industry referred to by Mr. Aves. After a long series of private negotiations and proceedings before the Court, the award was refused and 3,000 men quit work. A fund was opened for women and children and the procedure of a strike carried on, but without disorder or violations of any kind. The penalty clauses of the act were left unused.¹⁸ During 1909 there were sixteen

¹⁶ Official Year Book of the Commonwealth of Australia, 1908, p. 1053, and 1912, p. 1015.

¹⁷ Ibid., Nos. 1, 2, and 6.

¹⁸ Aves, p. 117.

stoppages of work, none of a very serious character. No effort was made by the Minister to enforce the clauses prohibiting strikes and lock-outs during this year.¹⁹ One of the most serious disturbances since then was the Perth tramway dispute in 1910, where a union secretary was sentenced to a fine of £50 for aiding and abetting a strike. It cannot be said that the industrial unrest of this period was any more serious in Western Australia than elsewhere. However, it undoubtedly was influential in leading to a redrafting of the act in 1912. The emphasis put upon conciliation by the present statute shows an appreciation of the value of industrial agreements. These are particularly applicable to the mining industry and should prove as effective in the future as they have been in the past.

IV. CONCLUSION

Designed upon a broader outline than the original Act of New Zealand, the system of Western Australia has had to deal with mining and manufacturing interests under conditions as to physical environment and population such as exist nowhere else in the Continent, except perhaps in Queensland. Unionism, although not specifically relied upon for the administration of the law, has flourished as nowhere else with the possible exception of New South Wales. Wages have been kept up to the living level, but industry has likewise been considered. Confusion has been caused by differences of interpretation, but the judges have pretty well agreed that at least a living wage must be paid. Women have not been compensated according to the principle of equal pay for equal work, but rather according to their lesser needs as compared to men.²⁰ From the administrative standpoint, the Court has been an efficient body, producing a large number of awards and orders, and giving attention to a wide scope of interests and conditions of labor. Apprenticeship, the contract system, the location of industries, the richness of veins, all these factors have had to be considered in formulating decisions. There is little evidence to show that prosperity has been thwarted by the awards, but it must be

¹⁹ Great Britain, Report of the Labor Department of the Board of Trade, 1912, p. 14.

²⁰ 11 W. A. Arb. Rep., 143.

admitted that industrial expansion has been slow. In some quarters, the awards have doubtless made more difficult for a time the operations of the miners, but on the other hand, justice has usually been rendered not only to the worker, but in the long run, to the employer. The observance of the awards, especially in the organized trades, has been fairly general. Strikes have not been prevented any more than they have elsewhere, and conciliation is being relied upon to an increasing degree. Considering the isolation of the various parts of this state, the heterogeneous population, and the complicating factors arising in a new country, we are not likely to overestimate the success of the system in Western Australia.

SOUTH AUSTRALIA

I. INTRODUCTION

1. GENERAL RELATION TO THE REST OF THE COMMONWEALTH

Although South Australia is 746 miles in width and extends 831 miles due north almost to the center of the Continent, these dimensions are not unusual as distances are reckoned in Australia. While in area it ranks third among the states of the Commonwealth, it is a country more than four times the size of France and over seven times larger than the United Kingdom. In population, it ranks fourth in relation to the neighboring states, having at the last census over 418,000 inhabitants. As might naturally be expected, agriculture and the pastoral industries are among the chief sources of production. Over 3,000,000 acres of land are annually under cultivation. Wool and wheat are two of the great staple products, wine having come to the front in recent years. Approximately 50,000 persons are actively engaged in what may be called the primary industries. Although in comparison with other occupations, manufacturing is in the minority, it has obtained a foothold and is constantly becoming a more important source of wealth. In 1911 the total output of the factories of the state aggregated in value over twelve and a half million pounds. In addition to this, the mines of the state employing over 6,000 workers, had an output valued at £437,604.²¹ While essentially an agricultural and pastoral country, its impor-

²¹ Official Year Book of the Commonwealth of Australia, 1912, p. 479.

tance from the standpoint of this study concerns chiefly the two latter classes of enterprise. With this in mind we shall give our attention to the legislative methods evolved to regulate the conditions of industrial contract in this state.

2. CHARACTER OF THE PRESENT LEGISLATION

The system of wage regulation in South Australia has been that of wages boards, to which was added by the Industrial Arbitration Act of 1912, machinery devised to prevent strikes and lockouts. The legislation now in force is comprised in the Factories Acts of 1907, 1908, 1910, and the statute concerning arbitration already mentioned. The Factories Acts continue with larger powers the system of wages boards, first initiated in 1900 and first really effective in 1906. These boards are very similar in their powers and working to those of Victoria, from which many of the South Australian provisions were borrowed. The processes and trades for which boards may be appointed are specified in the enacting statutes, and by subsequent act of Parliament after petition by those desiring such regulation. A determination arrived at by practically the same process of deliberation as in Victoria, is binding until altered by the board or by an order of the Industrial Court. Enforcement is in the hands of the inspectors of the Factories Department. All fines and penalties for the violation of such determinations may be recovered before a special magistrate or a court of two or more justices.²² If penalties are not paid, they may be enforced by imprisonment.²³ This is one of the means by which it was sought to inculcate respect for the law, and judging by the results, it has not proved ineffective. Without dwelling further upon the features of the wages boards, it may be said that in simplicity of procedure, they are quite equal to any other similar system in the Commonwealth.

By the law of 1907, the first prohibition in the interest of industrial peace was enacted. This act forbade any lockout or strike in violation of an award by a fine of twenty pounds in the case of an individual or five hundred pounds for an organization.²⁴ In that year also the Court of Industrial Appeals was established.

²² The Factories Act, 1907, No. 945, § 167.

²³ The Factories Act, 1907, No. 945, § 166.

²⁴ Ibid., §§ 158, 159.

Following the outbreak of 1910-11, it was felt necessary to make further provision against industrial strife, the result being the Industrial Arbitration Act of 1912. This act gave the Industrial Court power not only to alter determinations but to act as a mediator in the case of threatened disputes, obedience to a summons issued by the Court being made compulsory.

Agreements may be filed with the Registrar subject to the approval of the Court and ratification by a majority of the employers and employees in the industry concerned. Strikes and lock-outs, not only against a determination, but in general, are forbidden under a penalty of five hundred pounds with an alternative of three months imprisonment. Violations of the Court's Awards are punishable by much heavier fines than are similar breaches of determinations. By such other means as writs of injunction, the attachment of wages,²⁵ and levies upon the funds of associations of employers or workers, the Court may enforce industrial order.²⁶

Notwithstanding the familiarity of these provisions, the joint system of South Australia is by no means comparable to the system of New South Wales. The Court does not constitute the boards, nor does it possess other related executive powers. Although it may make an award a common rule, it may not grant preference. While associations are relied upon to some extent in enforcing the law, the operation of the system is not conditioned upon organization, perhaps because the strength of unionism has rendered it unnecessary. The fundamental purpose for which the boards have existed, has been to improve the conditions of labor. The aim underlying the Court is mainly to preserve industrial peace. That no great difficulties have yet arisen in the administration of the joint plan may be due to its inherent merits or to the lack of experience. Time alone will tell.

II. THE HISTORY OF THE EARLY ACTS; REASONS FOR LEGISLATION

Partly because of the small scale upon which manufacturing industries have been established in this state, and partly because of the conservation attitude taken by the Legislative Council, fac-

²⁵ The Industrial Arbitration Act, 1912, No. 1110, §§ 38-39.

²⁶ The Industrial Arbitration Act, 1912, No. 1110, §§ 45-46.

tory legislation has been somewhat backward as compared to its progress in some of the neighboring states. Not until 1894 was a general factory law passed. This act followed the report of the Shop and Factories Commission of 1892, of which Mr. Kingston, and Mr. MacPherson, the founder of the Political Labour Party of this state, were members. In the year 1894 also, the South Australian Conciliation Act was passed, due largely to the efforts of Mr. Kingston, afterwards chief secretary and minister of labor of the colony. This act which was the first one in Australia to recognize the principle of compulsory arbitration, was first proposed in 1890, following the great maritime strike. It provided for the registration of trade unions and employers' associations, boards of conciliation, and the enforcement of awards. Strikes and lock-outs were strictly prohibited to registered organizations. In a word, it was permissive compulsory arbitration. This act was a complete failure for the reason that neither employers nor work people chose to accept what was offered them. It was not repealed until 1912, when the principle of arbitration was again reverted to.²⁷

The brief allusion just made to the Act of 1894 shows that arbitration was not unknown to South Australia before the adoption of wages boards. It also shows that the earlier problem was that of how to secure industrial peace, where as the later one demanded a remedy for underpayment. Sweating, it may be said at the outset, was the primary reason for wage regulation in South Australia. The report of the Commission mentioned, stated that "sweating exists to some extent." However, the spread of this evil was most marked after 1895 and was attributed to the restriction placed upon it by other states, particularly Victoria. This fact was clearly emphasized in the debates upon the Factories Bill in 1900.²⁸ The existence of the evil at the time is sufficiently attested to by the reports of the Chief Factory Inspector.²⁹ In 1899 it was stated that sweating was fast gaining ground. In 1900 a strong Anti-Sweating League was formed which aided ma-

²⁷ For a fuller account, see Bulletin of the U. S. Bureau of Labor, No. 60, p. 536.

²⁸ Parliamentary Debates, House of Assembly, Second Session, 1900, p. 178.

²⁹ See Report for 1899, p. 6; 1901, p. 3; Reports Re Sweating in the Clothing Trade, 1903.

terially in the campaign against it. Such interest was aroused as the result of the report of the factory inspectors in 1903, that a select committee of the Legislative Council was appointed in 1904 which reported during the same year, after also making a hurried inquiry into the Victorian plan.

In his report for 1899, Mr. Bannigan, the Chief Factory Inspector, declared that nothing would stop the low wages paid both to factory workers and out-workers but a legal enactment. He also recommended the registration of all persons working for hire in the production of any article. In the following year a bill providing for the appointment of boards to determine the lowest wage rate to be paid to persons employed in the manufacture of clothing, including whitework, boots and shoes, furniture, and bread making was introduced in Parliament. The bill was to apply to workers both inside and outside a factory, and was later to be extended to such other lines of manufacture, trade, or business as Parliament should see fit.³⁰ It was also proposed to enact a statutory minimum wage of 4s. per week to prevent the employment of so called apprentices without pay. The bill was bitterly fought by the Chamber of Manufactures as destructive of equal industrial opportunity and hence to the very existence of industry.³¹ In reply to the usual stock arguments made against such legislation, it was urged that such a law would put the sweater upon a level with the fair employer.³² Finally, despite the opposition, the bill was enacted into law.

However, the fight was not yet over. Although the preparation of the electoral rolls for the nomination of boards was begun, the necessary regulations for carrying the act into effect were disallowed by the Legislative Council before the boards could be appointed. This action, which was due largely to the efforts of employers, rendered the boards as well as the statutory minimum wage completely inoperative.³³

After this defeat the contest was taken up again with the result that in 1904 an act was passed making effective the law of 1900,

³⁰ The Factories Amendment Act, 1900, § 13.

³¹ Report of the South Australian Chamber of Manufactures, 1901, p. 8.

³² Parliamentary Debates, House of Assembly, Second Session, 1900, p. 178.

³³ Report of South Australian Chamber of Manufactures, 1902, p. 24.

but restricting it to females, and males under 21 years of age in the clothing and white work trades. Thereupon a board was appointed for each of these trades. The clothing board was guided by the determinations of the similar board in Victoria and came to a decision, which became operative December 1, 1905. The first case arising under the determination was withdrawn, but the second was contested upon the ground that the determination was invalid because the board had fixed a scale of wages graduated according to experience. Inasmuch as the words of the act stated that "the lowest price of rate" could be fixed by a board, it was ruled that the board had exceeded its powers and the determination was, therefore, void. The case was appealed to the Supreme Court but was dismissed for the same reason given by the lower court. The failure of this determination had the effect of paralyzing the determinations of the other two boards which had been made according to the same principle. In this dilemma, persuasion was needed to keep the employers loyal to determinations which existed by sufferance only. Although a few boards were appointed, the act was of little practical effect owing to this adverse decision.

In 1906 the Factories Act was again amended, authorizing boards in several branches of trade, including those already mentioned. This act was applicable to all classes of workers and not merely to women, and minors of the opposite sex. The boards were given power to fix rates according to sex, age, and experience, thus correcting the legal weakness of the statute of 1904. Another provision of note was that enabling a board to fix maximum hours and overtime rates. Upon the passage of the act a large number of applications was received from organizations of the various trades, requesting that boards be appointed for their respective callings. Several determinations were completed and became effective during that year.

The next year marked the enactment of a general consolidation law which is the basis of the present legislation upon the subject. This act repealed all previous statutes and added necessary regulations. The Victorian law served to a large extent as a model for this statute. The Court of Industrial Appeals, brought into existence by the amendment of the previous year, was continued.

The scope of the act was greatly extended, twenty-four distinct trades being brought in review. The old regulations were swept away and a new set of rules and orders were adopted. New chairmen were appointed to take the place of the former officials. Strikes and lockouts against the determinations of a board were prohibited by heavy fines. In that year nineteen Wages Boards were appointed and ten of them made determinations before its expiration. Although this law was by no means perfect, it corrected the defects of the previous statutes and put the system upon a sound working basis.

The alterations since made have in the main concerned administrative defects, which have become evident from time to time. In 1908 a change was made in the method of electing board members, nominations being made sufficient unless there was a protest by one-fifth of the workers or employers in the trade. An important change was made in 1910 by a repeal of the apprenticeship provision. The reputable employers' clause was also disposed of, and permits were allowed for inexperienced as well as slow workers. A step was made in the direction of conciliation by a provision for industrial agreements, when signed by three-fifths of the employers and employees in any trade and locality and sanctioned by the Court. The Act of 1912 has already been described in outline, its essential purpose being to prevent industrial warfare and to co-ordinate the work of the boards without the centralizing authority of the Court in New South Wales. While it finally decides all appeals from determinations of the boards, it seldom takes a direct initiative in matters within the province of the boards. This Act repeals the conciliation statute of 1884, already referred to, and is an attempt to meet a problem which has recently become more serious. In the main, the regulation of wages has been the chief purpose of the reformers in South Australia. The system was brought in upon a tide of enthusiasm for reform extending from 1896 to 1900. From 1900 to 1904 the pendulum of public opinion swung to the other extreme and as a result the early years of the plan were marked by practical failure.³⁴ Since that time the system has been attended by the more cordial support of all classes of workers. For this

³⁴ Parliamentary Debates, Legislative Council, Second Session, 1906, p. 45.

reason, more than for any other, is due the success attending the legislation of this state.

III. ADMINISTRATION

1. ENFORCEMENT

During the early years of the wages board system, the problem of enforcement was complicated by administrative defects in the enacting legislation. By the Act of 1901, the boards were given the power of enforcement, notwithstanding the fact that the Factory Inspectors reported upon the violations of the law. Inasmuch as a board consisting of eight persons was seldom unanimous upon the subject of prosecution, the Minister was embarrassed in his efforts to control the department. As soon as a prosecution was threatened, the offender often approached one or more members of the Board in order to shake off the too close attention of the inspectors.³⁵ This sometimes resulted in rank injustice in the treatment of young girls by dishonest employers. In 1905 over ninety-five girls engaged in dressmaking and millinery received no wages whatsoever.

Another evasive practice of employers was to withhold wages due to their workers for weeks at a time. Discouraged in begging for money honestly earned, the worker often took employment elsewhere and forfeited the balance of wages due through having no effective means to compel payment.³⁶ A difficulty, already mentioned, was due to the decision concerning the power of the boards to fix graduated rates of wages. Because of this ruling, several determinations existed merely on sufferance and their observance was admittedly voluntary. In this dilemma, the Chief Inspector endeavored to persuade the employers to observe the established rates. This was done in a large measure and very few employers took advantage of the legal collapse of the determinations.³⁷ Both of these weaknesses were corrected by subsequent legislation, the Act of 1907 placing the burden of initiating proceedings with the consent of the Minister,³⁸ upon the inspectors or members of the police force.

³⁵ Report of the Chief Inspector of Factories, 1905, p. 2.

³⁶ *Ibid.*, p. 5.

³⁷ Report of the Chief Inspector of Factories, 1906, p. 1.

³⁸ The Factories Act, 1907, No. 945, § 152.

Another handicap with which the inspectors have had to contend has been the loose construction of some of the determinations. In 1908 the Chief Inspector expressed the opinion that a great improvement might be made by providing the services of a capable draftsman possessing some knowledge of the general working of the Act, who could put the wishes of a board into a practical workable form. A failure in this respect has caused the brunt of criticism to fall unjustly upon the enforcing authority. In recent years this difficulty has largely been overcome by the examination of all determinations before publication by the Crown Law Officers. The experience in this respect goes to show that scientific drafting is a very important factor in the administrative success of wage regulation.³⁹

There has been some difficulty in getting employers to adjust their wage payments according to the determination of the Bedding, Mattresses, and Over-mantels Board. The improver clause has been a sore point with the butchers, since many of these employ members of their own families. The carriers and drivers have probably given more trouble to the inspectors than any other class of workers, owing to the loose definition of that calling by the determination. The Chinese workers in the laundries and the furniture trade must be continually watched, but their presence is not more aggravating than elsewhere. Although there have been violations in the painting trade, an inspector of the Factory Department has reported that 95 per cent. of the complaints sent in are groundless.⁴⁰ These instances show to some extent wherein the enforcement of the law has been defective.

But in the main, the determinations "have worked remarkably well".⁴¹ This has been due as much to the co-operation of the employers as to the activity of the inspectors. Inspectors are as a rule, given every facility by the employers to perform their duty. The cordial good feeling existing has been no small item in the enforcement of the law.⁴² The following quotation, taken from the

³⁹ Report of the Chief Inspector of Factories, 1909, p. 7.

⁴⁰ Report on the Working of the Factories and Early Closing Acts, 1909, p. 8.

⁴¹ Report on the Working of the Factories and Early Closing Acts, 1908, p. 2.

⁴² Report on the Working of the Factories and Early Closing Acts, 1908, p. 10, and 1911-12, p. 18.

last available report of the Factories Department well expresses in a brief compass the purpose and methods of the enforcing branch of the system: "With thirty-nine wages boards in operation the staff has had a particularly busy time. The inspectors generally have done excellent work, and it is due to their efforts that so few cases have had to be settled by the courts. Their labors are devoted not so much to detection of offenses against the Act as to the removal of the cause, and this policy has been found to do far more good than if the Police Court were daily occupied in hearing informations for technical breaches of the law. Every effort is first made to ensure that everyone shall have a full knowledge of his obligations, and then if he knowingly and wilfully fails to make compliance, there is no other alternative but to bring him before the court. The inspectors have, however, been very successful in this respect, and if necessary delay occurs in clearing up any matter in dispute, a warning letter from the office generally had the desired effect."⁴³

2. APPRENTICESHIP

As in other states of Australia, apprenticeship has been one of the most vexing problems confronting the administrators of wage legislation. Under the early acts the apprentice system was practically a failure for the reason that the employer was not required to teach the apprentice or give reasonable opportunities for learning the trade.⁴⁴ Although this situation improved somewhat in the following years, there was a wide variation between the forms of indentures, many of which contained conditions tending to defeat the act. In 1910 a great improvement was made in this respect. By the amendment of that year a general form of indenture was provided for. Conditions were definitely laid down relative to the terms of indentured apprenticeship, and for improvers.⁴⁵ While the boards still fix the proportion of apprentices and improvers to be employed in any trade, it is hoped that the present enactments upon the subject will tend toward a solution of this problem.

⁴³ Report of the Chief Inspector of Factories, 1911-12, p. 2.

⁴⁴ Report of the Chief Inspector of Factories, 1905, p. 2. See also Report of the Select Committee of the Legislative Council on the Alleged Sweating Evil, 1904, p. vi.

⁴⁵ The Factories Act Amendment Act, 1910, No. 1020, §§ 5-10.

3. PERMITS

No definite plan was made for the employment of aged and infirm workers under the initial statute, although the boards were given the power to fix special rates for this class of persons. In 1906 the Chief Inspector of Factories was first given the authority to grant a special license to aged, infirm, or slow workers, to work at a lower wage than the regular minimum rate.⁴⁶ The number of such persons was not to exceed one-fifth of the whole number of adult workers employed at the regular rates, except with the express consent of the Minister. This in substance has been the law upon the subject since that time. Although the Select Committee of the Legislative Council on Wages Boards stated in 1908 that inferior workmen do not like to apply for work at a lower rate than the minimum, there seems to be no evidence of an abuse of this privilege. At one time there was a great rush for permits in the boot trade, many employers sending able bodied men to apply for licenses which were refused. Later, those that were really incapable of earning the minimum rate were granted certificates.⁴⁷ In 1910 eighty-two licenses were granted, and three refused. Upon the whole, it may be said that the system has worked as satisfactorily as elsewhere.

4. THE FIXING OF WAGE STANDARDS

Perhaps to a greater extent than in any other State, the principle upon which the boards have done their work has been expressed in the statutes. In 1904 the "reputable employers" clause borrowed from Victoria, was adopted by South Australia. It was stated that the lowest rates fixed by any determination should in no case exceed the average price or rates paid by reputable employers to employees of average capacity.⁴⁸ This provision was amended in 1906, so as to allow an appeal to the Court of Industrial Appeals, in case such a rate was deemed insufficient by a board. In making its decision, the Court was bound to consider the effect of its ruling upon the condition of a

⁴⁶ The Factories Act Amendment Act, 1906, No. 915, § 29.

⁴⁷ Report on the Working of the Factories and Early Closing Acts, 1908, p. 4.

⁴⁸ The Factories Further Amendment Act, 1904, No. 872, § 4.

trade or industry, but it was at the same time to secure a living wage for the employees so affected.⁴⁹ The principle of the living wage then adopted, has been continued by subsequent legislation. In 1910, it was stipulated that the evidence of similar boards in Victoria should be followed as far as possible.⁵⁰ Two years later the question was again raised in the debates in Parliament concerning the proposed Act of 1912.⁵¹ It was decided to make still more mandatory the principle already accepted. As the law was adopted, the Court was forbidden to prescribe any rate of wages not affording to the employee a living wage.⁵² In practice this wage has been defined both by Mr. Justice Gordon and by the statute to be a sum sufficient for the "normal and reasonable needs of the average employee." As in other states, the Commonwealth Court has exercised a large influence upon this question.

Some other matters of lesser importance may be worthy of mention. The delegation of power to an employer to fix piece rates based upon the average rates of a board has proved a failure in the shirt-making industry. As a result, it is now obligatory upon the boards to fix both a piecework and a time rate, wherever practicable in the furniture trade and trades connected with the manufacture of clothing and wearing apparel. As long as the reputable employers clause was in effect, it was a constant source of dissension and disagreement. It was finally repealed in 1910 by the amendment already referred to. In these respects the experience of South Australia has been very similar to that of other states.

5. APPEALS TO THE INDUSTRIAL COURT

The right of appeal to the Industrial Court as established in 1906, has been availed of to a moderate extent by both employers and workers. Under the present law, appeals are allowed against the determination of a board, upon reference by the Minister or the Registrar, by an employer of not less than twenty workers in an industry, or by not less than twenty workers engaged in any distinct calling.⁵³ Appeals are also allowed against the conviction

⁴⁹ The Factories Act Amendment Act, 1908, No. 915, § 51.

⁵⁰ The Factories Act Amendment Act, 1910, No. 1020, § 21.

⁵¹ Parliamentary Debates, Legislative Council, 1912, Second Session, p. 337.

⁵² The Industrial Arbitration Act, 1912, No. 1110, § 22.

⁵³ Industrial Arbitration Act, 1912, No. 1110, § 13.

of a special magistrate, but it is the former class which is of most interest to us. In some cases the rates of wages fixed have been unduly low, with the result that appeals meeting with the displeasure of the local Court have been carried to the Commonwealth tribunal. Such an instance was the boot trade determination of 1910. The award given in that case, although applicable to only three firms in the state, was generally adopted by the boards. Appeals against several determinations have been quashed upon being brought to the attention of the Court. Notable examples are the determinations of the carriers and drivers, of the painters and decorators in 1908, and of the tailors somewhat later. In so far as the Court has corrected the technical defects of board determinations, it has fulfilled a useful office. Although upon occasion it has clearly been timid in altering wage rates already established, this has been due to a fear of interstate competition. As an authority of last resort for this state, it may at least be given credit for an impartial performance of its duty.

6. THE PREVENTION OF STRIKES AND LOCKOUTS

Speaking generally, South Australia has been comparatively free from industrial disturbances such as have occurred in the other states of the Commonwealth. Although now and then there has been dissatisfaction with the conditions laid down by the boards or the Court, there was no direct repudiation of a determination up to the end of 1909. None the less, a provision against strikes in board trades was incorporated in the Act of 1907. Later disturbances, such as the dispute in Adelaide on the part of the carters, the repudiation of a determination by the carriers and drivers, and the strike of the railway glut hands, induced a feeling on the part of the people that further measures were necessary to keep the peace. This feeling was further intensified by the general industrial unrest of the time. The general attitude was forcefully expressed by the debates in the Legislative Council upon the Arbitration bill in 1911.⁵⁴ Another reason for this attitude was the failure of the referenda to the people, which sought to give the Commonwealth wider powers in such matters. However, the proposal to extend the provisions forbidding strikes was vigorously opposed. Even the Attorney-General in moving

⁵⁴ Parliamentary Debates, Legislative Council, 1911-12, p. 555.

the second reading of the bill, stated that in general, "every amelioration in the lot of the worker had been accomplished by means of strikes or threatened strikes."⁵⁵

Eventually, the bill became a law, but a right most ardently championed by the representatives of labor was denied, namely, the right of preference.⁵⁶ The refusal of preference has been a consistent feature of the policy in this state, excepting in the case of some minor industrial agreements. Since there are no immense aggregations of workers as in New South Wales, it is only natural that extensive strikes have been comparatively infrequent. However, it is only fair to say that strikes have not been eliminated. There were, for instance, during the first quarter of 1914, seven disputes involving fifteen establishments and 431 work people.⁵⁷ Thus, the experience of South Australia is not unlike that of other states. Although the cruder methods resorted to by men in their efforts to obtain justice are seldom employed, they have by no means been dispensed with. The present outlook is rather dubious so far as the restraining effect of the late Arbitration Act is concerned.

IV. ECONOMIC AND SOCIAL CONDITIONS UNDER WAGE LEGISLATION

1. ABOLITION OF SWEATING

Even so early as 1904, when the agitation against sweating had by no means subsided, the Select Committee already referred to reported that sweating as the result of sub-letting was practically nonexistent in Adelaide. The number of out-workers has continued to diminish year by year, illustrating the same general tendency that has been operative in Victoria. In the clothing trade, out-workers have been unable to compete with the well equipped factories possessed of electrically driven sewing machines. In making his report, Mr. Aves stated that he found no signs of sweating as a basis upon which industry could be said to rest, although there was a good deal of pressure in the factories.

⁵⁵ Parliamentary Debates, House of Assembly, 1911-12, Second Session, p. 492.

⁵⁶ Parliamentary Debates, Legislative Council, 1911-12, Second Session, p. 558.

⁵⁷ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 36.

In 1911 the Chief Factory Inspector reported that only forty-five persons were registered as out-workers, the practice of doing work in the home being almost entirely a thing of the past.⁵⁸ This change has been due both to factory specialization and to the competition of higher paid workers in the shops.

As regards the unduly low wages mentioned by the Select Committee, it may be said that those rates also belong to the past. Cut throat competition between manufacturers has been eliminated by the requirement for standard payments, which places them all upon an equal basis. The passing of the sweating evil in South Australia is thus in accord with the experience of other States.

2. THE PROSPERITY OF INDUSTRY

Since the initiation of wage legislation in South Australia, business has flourished and wealth has increased. Practically every line of industry has shared to some extent in the general expansion. The value of the gross annual factory output increased over three million pounds from 1907 to 1911. During the same time there was an increase of 228 factories and over 5,000 workers. Although figures are not the most accurate measure of industrial conditions, the following table is illustrative of the trend in this respect:

MANUFACTURES IN SOUTH AUSTRALIA⁵⁹

| | 1904 | 1907 | 1911 | Increase per cent. 1907-11 |
|---|---------|------------|-------------|----------------------------------|
| Number of establishment..... | 853 | 1,086 | 1,314 | 20.9 |
| Persons employed..... | 17,691 | 22,701 | 27,907 | 22.9 |
| Males | 13,930 | 18,423 | 22,651 | 22.9 |
| Females | 3,761 | 4,278 | 5,256 | 22.8 |
| Plant and machinery..... | | £1,873,061 | £2,506,000 | 33.7 |
| Total wages paid..... | | £1,734,394 | £2,645,386 | 52.5 |
| Average annual earnings per worker | | £80 | *£99 | 24.4 |
| Value of output | | £9,436,723 | £12,580,851 | 33.3 |
| Population | 359,368 | 373,663 | 418,172 | 11.9 |

* Complete figure £99.55.

The improvement of trade conditions has been quite consistent upon the whole. In 1908 Mr. Aves remarked upon the evident

⁵⁸ Report of the Chief Inspector of Factories, 1911, p. 2.

⁵⁹ Figures taken from the Statistical Register, Part III, p. 163 and Part I, p. 5.

prosperity of the country and the general shortage of labor. During the following years there has been no lessening of commercial activity. The Chief Factory Inspector reported in 1911 that the year had been a most prosperous one from all points of view. It is interesting to note the contrast between the comments of the South Australian Chamber of Manufactures in 1902 and 1910. In the former year a special committee stated that the control of wage conditions by irresponsible boards would end first in industrial chaos and finally in stagnation. In 1910, the President in making his annual address, after quoting numerous statistics to show the progress of manufactures, said; "I believe that the State of South Australia is the richest per head in the Commonwealth, and the Savings Bank shows a deposit per head of £15.9/7."⁶⁰

From 1902 to 1912, the number of savings bank depositors increased from 137,147 to 222,988.⁶¹ Mining has declined in importance to some extent, there being fewer men employed now than in 1901. About 6,000 men were so engaged in 1911, but taking industry in the large, there has been no cause for complaint. The following quotation from an editorial taken from *The Register*, January 18, 1909, is interesting: "Primary production was never on a better footing; secondary industries have never been plied on a sounder basis; population has swollen; land is in demand; buildings are going up in all directions; employment is good; and deposits are accumulating in the various banking institutions. There is a general air of contentment. South Australia is passing through an era of great productiveness, and stability is reflected on all sides."⁶² It is not claimed that industrial legislation has been the cause of commercial expansion in this state, but neither can it be asserted that legal restraint has stagnated and smothered industrial enterprise.

3. THE CONDITION OF THE LABOR MARKET

As might naturally be inferred, the demand for labor during recent years has been quite active. Workers have been in demand

⁶⁰ Report of the South Australian Chamber of Manufacturers, 1910, p. 13. *Ibid*, 1902, p. 24.

⁶¹ Official Year Book of the Commonwealth of Australia, 1911, p. 855.

⁶² Department of Intelligence, Bulletin No. 6, p. 13.

for brickmaking, carpentry work, carriage building, iron work, printing, and other allied occupations. While there has not been such a pronounced shortage of labor as in New South Wales, the subject has been one of concern to employers. The chief difficulty has been in getting skilled workers. This has been due in part to the failure of the apprenticeship system and in part to the disinclination of employers to train the workers. Greater attention is now being paid to the matter of apprenticeship and thus some measure of provision is being made for the future supply of skilled help.⁶³ In common with the neighboring states of Australia, the labor market was dull during the year 1913. This condition mainly affected the lower grades of labor. Upon the whole, the demand for the services of working men and women has not lessened in recent years.

4. INCREASES IN THE WAGE SCALE; THE COST OF LIVING; THE STANDARD WAGE

Along with the prosperity of the employer has gone the prosperity of the worker. Wages in practically all lines of employment have been substantially raised. This statement is borne out by successive reports of the Factories Department. In 1911, the Chief Inspector reported that wages in all trades showed an upward tendency of from 5 to 10 per cent. over those of 1909. Inasmuch as there had been no pronounced advances, it was his opinion that the increase might be regarded as stable.⁶⁴ Partly because of the healthy condition of business, the minimum wage fixed by the boards has seldom become the maximum. Even so early as 1905, the Chief Factory Inspector said: "So far I have not heard of any case of leveling down of the higher paid workers, and the increased wage fixed for the lower paid hands has merely resulted, so far as can be seen at present, in a demand for more experienced workers."⁶⁵ Speaking of wage rates in 1909, he stated that in every class of business the rates of the boards were below those paid by the best employers.⁶⁶ In regard to the average rates of wages in trades subject to board deter-

⁶³ Report of the Chief Inspector of Factories, 1911, p. 2.
⁶⁴ Report of the Chief Inspector of Factories, 1911, p. 4.
⁶⁵ Report of the Chief Inspector of Factories, 1905, p. 2.
⁶⁶ Report on the Working of the Factories Act, 1909, p. 7.

minations, he said; "The returns show in every case a slight increase on the rates fixed by the boards."⁶⁷ The wages paid to brickmakers, carpenters, furniture hands, and iron workers have been considerably above the minimum rate. This has also been true in the case of shirtmaking and white work. Jewellers and opticians, as well as painters and decorators, have not fared so well. It is thus evident that the remuneration of the great number of workers has not been fixed by the boards.

It must not be forgotten that living expenses have increased here as elsewhere, but the cost of existence has not apparently risen faster than the scale of wages paid. According to Mr. Knibbs the cost of living has increased about 33 per cent. The general rise in wages has been above this in the main, as the following table shows. Although allowance must be made for possible errors in making comparisons, it is safe to say that the lot of the worker has been bettered since 1902.

WAGE INCREASES IN SELECTED INDUSTRIES NOW UNDER WAGE DETERMINATIONS

AVERAGE WEEKLY EARNINGS OF ADULT MALE EMPLOYEES⁶⁸

| INDUSTRY | 1901 * | | 1910 * | | INCREASE | | |
|--------------------------|------------------|------------------------|------------------|------------------------|----------|----|----------|
| | Number employees | Average earnings s. d. | Number employees | Average earnings s. d. | s. | d. | Per cent |
| Breadmaking..... | 263 | 30 3 | 292 | 48 11 | 18 | 8 | 61.7 |
| Boots and shoes..... | 78 | 32 3 | 379 | 49 5 | 17 | 2 | 53.2 |
| Brickmaking..... | 133 | 34 5 | 299 | 52 0 | 17 | 7 | 51.0 |
| Furniture..... | 239 | 24 6 | 376 | 54 10 | 30 | 4 | 123.8 |
| Printing..... | 540 | 48 3 | 1346 | 57 4 | 9 | 1 | 18.8 |
| Saddlery and harness.... | 106 | 33 4 | 175 | 51 9 | 18 | 5 | 55.2 |
| Tanning, etc..... | 43 | 27 5 | 139 | 47 9 | 20 | 4 | 74.1 |
| Tailoring..... | 183 | 37 1 | 126 | 50 6 | 13 | 5 | 36.1 |

AVERAGE WEEKLY EARNINGS OF ADULT FEMALE EMPLOYEES

| | | | | | | | |
|---------------------------------|-----|------|------------------|------|---|---|------|
| Dressmaking..... | 502 | 11 0 | ² 190 | 19 8 | 8 | 0 | 72.7 |
| Shirtmaking and white-work..... | 120 | 10 3 | ³ 139 | 19 5 | 9 | 2 | 89.4 |
| Tailoring..... | 859 | 15 4 | ⁴ 534 | 24 5 | 9 | 1 | 59.2 |

¹ There were also 129 workers over 16 years of age and 149 women.

² There were also 284 workers over 16 years of age.

³ There were also 160 workers over 16 years of age.

⁴ There were also 276 workers over 16 years of age.

* The figures for 1901 are for workers over 16 years of age only; those for 1910 represent workers over 21 years of age.

⁶⁷ Report on the Working of the Factories Act, 1909, p. 8.

⁶⁸ From the Report of the Chief Inspector of Factories, 1911, pp. 20-21, and 1901, p. 10.

V. CONCLUSION

In forming a final estimate of the wages board system of South Australia, it should be remembered that the first effective determinations were made during a period of industrial expansion. Although employers first opposed the act, they later accepted the inevitable and co-operated with the officials in their work. The system has been gradually extended, until in April, 1914, fifty-six trades and 25,000 employees were under the orders of wages boards. There are now in effect fifty-four determinations, including those made by the Industrial Court after boards had failed to do the work for which they were appointed. All of these determinations apply only to the Metropolitan area. Thus, the act has been definitely limited in its operation in this state.⁷⁴ In so far as it has been effective, however, wages have been raised, sweating has been abolished, and industry has not been adversely affected. In some respects the act might have been more efficiently administered. For instance, there was no board in the ready-made clothing industry for ten years after the first board for that trade was authorized. This delay was due to the dissatisfaction of the employers with the employees appointed to represent the workers. Hence, the clothing trades have not benefited in more prosperous times to the same extent as other trades, although the sweating conditions in this industry, long since passed away, first made wage legislation possible. Some boards have fixed wages below the living standard, but rates are now based upon the scale laid down by the Court, which is substantially that of Mr. Justice Higgins. Contrary to popular opinion, unionism has not been adversely affected by the wages boards. In 1912, there were 37,336 members of registered trade unions in this state, which is a large majority of the working classes. The adoption of arbitration and the prohibition of strikes and lockouts is a recent measure, the effects of which cannot yet be judged. It is significant that the value of conciliation is also being emphasized in this state, as it is in other parts of Australia. At present it seems that conciliation may be a more potent force for industrial peace than arbitration. Whatever the future may have in store as regards

⁷⁴ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 66.

this latest innovation, it may be said that the wages boards have been quite effective in their administrative working and have assisted materially in adjusting the terms of industrial contract.

QUEENSLAND

I. CHARACTER OF THE COUNTRY AND INTRODUCTION OF WAGE LEGISLATION

1. GENERAL PHYSICAL FEATURES

Extending eight hundred miles from east to west, and bounded by a coastline of three thousand miles, the State of Queensland occupies the entire north eastern corner of Australia. Exceeding in area any European country except Russia, it is larger than the combined empires of Germany and Austria-Hungary. It contains 670,500 square miles with a population estimated in 1911, at 622,129 persons, or less than one person to a square mile. The absence of navigable rivers has induced the construction of railways, yet in 1911 there were only 3,532 miles of track, many of the interior points having little if any connection with the capital city of Brisbane. As the state extends over eighteen degrees of latitude, from the twenty-ninth parallel to within eleven degrees of the Equator, it may be roughly divided into three main divisions, the Southern, Central, and Northern. Because of this natural isolation of large sections of territory, the administration of wage legislation has had to be carried on in a manner quite different from that in some of the other states.

The three main products of the country are wool, gold, and sugar. The richest resources of the land are pastoral and agricultural, sugar being the greatest of the agricultural crops. The total mineral output in 1912 was valued at over four million pounds, but in importance, mining is overshadowed by manufacturing which employs yearly over 40,000 hands; thus, while not to be compared to Victoria or New South Wales, the factories of Queensland rank in importance above those of South Australia, Western Australia, and Tasmania.

2. EARLY LEGISLATION

Industrial legislation in Queensland dates from 1892, when a brief act was passed to make provision for a Court of Conciliation.

In 1896 the first factory act was enacted, under which valuable information concerning out-workers was secured. This act was amended in 1900 and a modest beginning made in the direction of fixing a minimum wage. As in Victoria and New South Wales, a considerable number of young workers were being employed in factories, without any monetary return for their services. It was sought to prevent this practice by the enactment of a statutory minimum wage, which in this case was fixed at 2s. 6d. per week. This clause was amended in 1908, raising the minimum standard to 5s. per week for beginners in industrial employment. A yearly increase of 2s. 6d. was also provided for, until the sum of 17s. 6d. per week was reached.⁷⁵ This was evidently considered the least that an adult worker should receive for his or her work.

As in Victoria and South Australia, the principal animus for wages boards was the evil of sweating. References to low wages and undue pressure in factories were made by the annual factory reports, both before and after 1900. Associated with low payment, there was also considerable sub-letting and home work. It is true that sweating gradually declined after 1899, as Mr. Aves pointed out.⁷⁶ Notwithstanding this fact, the minimum wage question was constantly pressed upon the notice of the Government and the public. This was partly due to the growing strength of trade unionism, which enabled labor to assert itself politically. Furthermore, it was generally felt that the time had come for the establishment of some legal machinery for the adjustment of wage conditions.

Although the Labor Party favored an arbitration court, the party in power preferred the wages board system which had originated in Victoria. This choice may have been due in a measure to the political necessity of "placating the farmers."⁷⁷ As first proposed, it was aimed to bring all industries, including agriculture, under this form of regulation. A very bitter opposition immediately developed, with the result that farming was excluded from the bill as finally passed.⁷⁸

⁷⁵ The Factories and Shops Act Amendment Act, 1908, No. 4, § 12.

⁷⁶ Aves, p. 84 — also Report of the Chief Inspector of Factories, 1903, p. 8.

⁷⁷ Aves, p. 84.

⁷⁸ Parliamentary Debates, 1908, First Session, pp. 232-237-599.

In all the main essentials this act so closely resembles others already considered that it is needless to discuss it. It may be noted, however, that provision was made for the ratification of industrial agreements in cases where no special board was in existence.⁷⁹ The act was primarily designed for the regulation of conditions in the clothing and furniture industries, but could be extended to any other process or trade by the Minister without action by Parliament.⁸⁰ In 1911, the original measure was amended so as to remove some defects and make administration easier. In the following year the entire scheme was reviewed and a comprehensive bill intended to deal with strikes, lock-outs, wages, and other industrial matters was framed. This law known as the Industrial Peace Act of 1912, came into force in December, 1912, and repealed both of the previous measures. It created an Industrial Court and combines the elements of the wages board and the arbitration court system somewhat along the lines of the plan in New South Wales. The Industrial Boards are constituted upon the recommendation of the Court, the initiative being taken by employers or employees who make representations to the Industrial Registrar.⁸¹ For the purpose of creating boards, the Court may divide, combine, or regroup certain specified callings which are stated in Schedule II of the Act. Awards are made in the same way as hitherto, an appeal being allowed to the Industrial Court. Strikes and lock-outs are forbidden in the case of certain public utilities, until after a compulsory conference has been called by a judge of the Court, and until the Registrar has taken a secret ballot amongst the employers or employees, in order to determine whether or not such action shall be taken. Associations of employers or employees contravening or violating this section are subject to a fine of one thousand pounds, individuals being liable to the extent of fifty pounds.⁸² Thus, it is not attempted to completely prohibit strikes, but only to prevent them. The reliance upon compulsory conferences presided over by the judge of the Court is a feature common to four other acts of the Common-

⁷⁹ Wages Board Act, 1908, No. 8, § 49.

⁸⁰ Wages Board Act, 1908, No. 8, § 49.

⁸¹ The Industrial Peace Act of 1912, No. 19, § 19.

⁸² Ibid., §§ 35-39.

wealth. In its broad lines this act is quite similar to those of New South Wales and South Australia.

II. ADMINISTRATION

In attempting to administer the act, it was found necessary to divide the state into five general divisions or districts, namely, Brisbane, South Eastern, Southern, Central, and Northern. Four boards were appointed within twelve days after the bill became law and ten determinations were issued the first year. So far ninety-two wages boards have been appointed which affect upwards of 30,000 employees. There are now seventy-six determinations in force, six of which have been varied upon appeal to the Industrial Court.⁸³ There are eighty-five distinct localities where individual conditions are prescribed by the boards.⁸⁴ Thus it is seen that the administration of an act in such a state is no simple matter, and would be infinitely more complex in some of the industrial centers of our own country.

From the first, strange to say, there were very few violations of the law. There were breaches in the meat industry, but these were usually due to ignorance and were settled without prosecution.⁸⁵ The permit system did not work smoothly owing to the fact that permits were issued by the boards, which forced an applicant to wait for his certificate until a meeting was held. This defect was remedied in 1912 by giving the Registrar this power. It should be noted that in some quarters there was the usual tendency to evade requirements. Certain refreshment shops made exorbitant charges upon their waitresses for meals. Dressmakers, often-times did not pay the minimum wage until forced to do so by the inspectors.⁸⁶ In 1911 there were seven successful prosecutions and six cases which were withdrawn. Speaking in regard to the matter of enforcement, the Chief Inspector said: "A generally harmonious feeling appears to now exist between the employers and employees, the former recognizing more than in the initial stages that the conditions of the determinations must be adhered

⁸³ Commonwealth Bureau of Census and Statistics, Labor Bulletin, No. 5, p. 66.

⁸⁴ Report of the Chief Inspector of Factories, 1913, p. 11.

⁸⁵ Report of the Chief Inspector of Factories, 1909, p. 29.

⁸⁶ Report of the Chief Factory Inspector, 1911, p. 25.

to, and the antagonistic attitude has almost entirely disappeared."⁸⁷ Apparently, there has been less than the usual difficulty in enforcing the determination in this state.

III. ECONOMIC AND SOCIAL CONDITIONS UNDER WAGE LEGISLATION

1. SWEATING

As elsewhere, the sweating evil has gradually declined in importance, both as concerns under payment in factories and as it affects home work. The worst phases of this problem have been principally in connection with the clothing trades, women having children preferring to do their work at home. 1912 the chief Inspector reported that at the wages board rates then prevailing, home workers could earn satisfactory wages.⁸⁸ In the following year there were only twenty workers in this section of the industry. For this decrease the clothing award has been largely responsible.⁸⁹ When the rates now paid factory workers are also considered, it is evident that sweating no longer exists.

2. THE IMPROVEMENT OF WAGES AND WORKING CONDITIONS

As the first act in this state practically dates from 1909, no such comparison of wages is possible as in some of the other states. Because of the inequalities prevailing in the several districts, it is also difficult to make any comparison of wages before and after this legislation took effect. However, it is interesting to note the comments of the Labor Department in 1900, on wages here and in Victoria, immediately after the system there became operative. In the bread baking, the boot, the shirt, and the clothing trades, wages in Victoria were raised materially over those in Queensland.⁹⁰ While this may have been due to other causes, it cannot be gainsaid that wages have since been materially raised in many trades by the board determinations. This has been true to some extent in the boot, printing, and furniture trades.⁹¹ In the clothing trade there has been a considerable increase of wages, to the benefit of

⁸⁷ Report of the Chief Inspector of Factories, 1911, p. 22.

⁸⁸ Report of the Chief Inspector of Factories, 1912, p. 18.

⁸⁹ Ibid., 1913, p. 24.

⁹⁰ Report of the Chief Inspector of Factories, 1900, p. 13.

⁹¹ Ibid., 1910, p. 20.

1,800 women workers.⁹² In the opinion of employers in 1909, the average increase of the minimum rates fixed amounted to 12 per cent., and in some trades was equal to 20 per cent.⁹³ Since then there have been still further advances. Without giving detailed statistics, the following quotation of the Department of Labor sufficiently shows the advance of wages in recent years: "The determinations have, with one exception considerably raised the average of wages paid, as a comparative perusal of the appendices of this and preceding Annual Reports will show. In some instances the increase in the weekly wage amounts to over 50 per cent., and, generally speaking, the rates of piecework have been increased very much in comparison with those prevailing prior to 1908."⁹⁴

Notwithstanding general increases in rates of wages, many of which are due to board determinations, there is no evidence to show that the minimum rate has generally become the maximum. Of the callings in which board rates were made, there were some fifty instances listed by the Chief Inspector in 1913 where the average wage of a trade was higher than the prescribed rate, and about thirty instances where the opposite was the case. These comparisons were listed under eight distinct classes of industry, such as food and drink, lighting and heating, engineering, printing and others. In general, minimum wages have been based upon the rulings of the Commonwealth Court, although there has been difficulty in fixing rates for married and single men. That the average wage is relatively as high as it is, is probably due to the fact that in most instances a real minimum has been established.

To what extent the cost of living has eaten up wage advances would be difficult to say. High rents have undoubtedly increased the cost of subsistence. Rings and combines have raised prices, wages determinations serving as an opportune pretext. It was recently proposed to initiate an inquiry into the cost of living, but the proposition was rejected.⁹⁵ While some items of living expense have increased faster than the rise in wages, prices are proportionately no higher than elsewhere. To some extent the unemploy-

⁹² Report of Chief Inspector of Factories, 1911, p. 24.

⁹³ Report of the Queensland Employers' Federation Annual Meeting, 1909, p. 5.

⁹⁴ Report of the Chief Inspector of Factories, 1912, p. 24.

⁹⁵ Parliamentary Debates, 1912, Vol. III., p. 820-22.

ment problem has been intensified, but this has been mainly a matter of maladjustment. In 1911, not more than 200 persons upon the average failed of employment.⁹⁶ Two years later the Chief Inspector reported that the state was quite free from a surplus of unemployed workers except during a few temporary disorganizations.⁹⁷ Considering these facts in relation to the improvement in the wage scale, it may be said that the worker has benefited from the determinations of the boards.

3. THE STATE OF INDUSTRY

Even more difficult to gauge than the essential effect of board determinations upon wages, is the effect of the wage rulings upon industry. Prior to 1899 there was a period of expansion followed by a period of depression caused by the droughts of 1902 and 1903. In 1904 a cycle of good times ensued which has continued quite steadily to the present. Because of the favorable seasons in recent years and partly because of the high price of metals, the recovery of trade was quite rapid.⁹⁸ There is no reason to believe that the continued progress of industry has been seriously disturbed by wage legislation. Trade has been quite active in Brisbane and the call for more skilled workers has been repeatedly heard. There have been enlargements in the boot and clothing factories notwithstanding the decision of the Commonwealth Court raising the wages of bootmakers.⁹⁹ Although no legislative action has been taken regarding the shortage of skilled labor, the problem has been one of serious import. This has been due in part to the break down in the apprenticeship system, observed both here and elsewhere. In 1913, the Chief Inspector said: "If the state is to grow in self-dependence industrially, it has either to import tradesmen or to make them. The latter is possibly the ideal course. * * * Attempts are being made, noticeably by the industrial boards to revive the indenture system. The prospects of success in this direction, I think, are poor. The hope of technical training lies in the promise of educational reform."¹

⁹⁶ Report of the Chief Inspector of Factories, 1911, p. 5.

⁹⁷ Ibid., 1913, p. 1.

⁹⁸ Aves, p. 83.

⁹⁹ Report of the Chief Inspector of Factories, 1910, p. 21.

¹ Report of the Chief Inspector of Factories, 1913, p. 23.

It is doubtless true, as the Employers' Federation has claimed, that certain lines of manufacture have made but very little progress;² but taking production in the factories of the state as a whole, the gross aggregate output has increased in value over 50 per cent. since 1908. The number of workers has increased about one-third since that time, but it should be noted, has doubled since 1904. It should frankly be admitted that the expansion of manufacturing enterprise has been steady since 1904, which was five years before the wages boards factored in the situation. Because of the great physical differences from other states, the great distances within the state, and the absence of easy intercommunication, it is not possible to draw a direct comparisons between Queensland and other states. These facts even render an approximation of the influence of relative factors upon industrial progress in this state difficult, but that the worker has received benefit without injuring industry seems apparent. The following quotation from the report of the Chief Inspector thus summarizes a valuable opinion upon this subject: "I have no hesitation in expressing the opinion that the results of this legislation have been eminently satisfactory, and in this opinion I am supported by the expressions of approval which I have received daily during the preceding twelve months from those intimately interested — the employers and the employees."³ The following table shows the general status of industry in recent years.

MANUFACTURES IN QUEENSLAND⁴

| | 1904 | 1908 | 1912 | Increase per cent. 1908-12 |
|-----------------------------|------------|-------------|-------------|----------------------------------|
| Number of establishments... | 1,909 | 1,479 | 1,790 | 21.0 |
| Persons employed | 20,058 | 29,510 | 40,948 | 38.7 |
| Males | | 24,938 | 33,254 | 33.3 |
| Females | | 4,572 | 7,694 | 68.2 |
| Plant and machinery..... | £4,200,303 | £4,484,340 | £5,442,471 | 21.3 |
| Total wages paid..... | | £2,201,100 | £3,699,065 | 68.0 |
| Value of output..... | £7,293,883 | £11,242,437 | £18,768,606 | 66.9 |
| Population | 521,655 | 558,237 | 636,425 | 14.0 |

² Report of the Queensland Employers' Federation, Annual Meeting, 1909, p. 7.

³ Report of the Chief Inspector of Factories, 1912, p. 24.

⁴ From Statistics of the State of Queensland, 1904, 1908, 1912, Parts I, VIII.

4. INDUSTRIAL PEACE

The history of Queensland in regard to industrial dislocation is much the same as that in other states. While strikes have been comparatively infrequent, they have by no means been absent in recent years; yet they have seldom been due to non-compliance with board determinations. The bootmakers' case which was carried before the Commonwealth Court and in which a strike was narrowly averted, combined with other difficulties, principally the Brisbane tramway strike, led to the Act of 1912, which sought to prevent such disturbances in the future. Outbreaks still occur from time to time. In the early part of 1914, four disputes began, involving boiler makers, railway construction men, and shearers. Although industrial warfare has not been prohibited, it has at least been made more difficult.

IV. CONCLUSION

Although of brief duration, the experience of Queensland in regard to wage regulation illustrates in a degree the history of several of the other states where it has been tried. Wages have been raised. In most instances the result has not been a standard rate, due in part perhaps, to the low wages fixed by the boards. But it should not be forgotten that although the competition of outside industries has always been considered, a living allowance has usually been made for the worker.

While organization is not essential to the administration of the system, unionism has made great strides in recent years, the membership of registered trade unions of employees numbering almost 45,000 persons in 1912. One result of this development has been the sectionalization of industry and the definition of a tradesman's duties to a fine point. Yet the administration of the act has been comparatively free from many of the difficulties usually encountered. Employers and employees have joined in co-operation with the officials. The progress of industry is not confined to the period during which the act has been in effect, but it has continued unhindered since 1909. At the same time many workers have been aided in maintaining a higher standard of living. Not one of the most obvious but possibly one of the most patent effects of the movement has been the publicity given to industrial questions and sta-

tistics. This, as Mr. Crowther, the present head of the Labor Department, has pointed out, is dissipating much of the ignorance upon these matters previously existing and "is consequently working towards a fairer distribution of the fruits of labour."^s Industrial peace or industrial war as the case may be, is still a problem, accentuated perhaps by some phases of regulation. In brief, the history of wage legislation in this state is of value, mainly in so far as it confirms or differs from the experience in other communities.

TASMANIA

I. INTRODUCTORY REMARKS

1. THE COUNTRY

Tasmania, the garden state of Australia, is an island 26,215 square miles in area, located 120 miles from the southern border of the Continent. Nearly half of its exports are made up of gold and other minerals, the remainder consisting mainly of agricultural and pastoral products. Over 5,000,000 acres of land are under cultivation, the agricultural region being mainly in the northern and northwestern part of the island. Miners and prospectors occupy the western part, there being over 5,000 persons so engaged. Manufactures, both absolutely and relatively, are of minor importance as compared to those upon the Continent. However, approximately 10,000 persons are engaged in this branch of production. For this reason, as well as the fact that wage legislation has been in force but a short time, it is possible to make but few generalizations upon conditions in this state.

2. THE LEGISLATION NOW IN FORCE

The plan of wage regulation in this state consists entirely of wages boards with the exception of the statutory minimum wage incorporated in the first Factories Act. The legislation now in force consists of a major act, enacted in 1910, and two minor amendments adopted in 1911 and 1913. The principal motive in adopting this system seems to have been the desire to maintain fair and reasonable wages in certain lines of industry and to enjoy the benefits commonly attributed to the legislation upon the Continent.

^s From a written statement made to the writer.

In 1910 also, the first Factories Act was enacted. The Shops Closing Act of 1911 became law in 1912, during which year the first annual report of the Chief Inspector of Factories was issued.

Unlike the laws of the other Australian states, the Tasmanian Act was made applicable to the whole state and was not limited to districts or areas, as in New South Wales, Queensland, and Western Australia; or to cities, towns, or boroughs, as in Victoria. However, the board may specify a lesser area to which any determination may apply. The only calling mentioned specifically for which a board may be appointed, is the clothing trade. Others may be appointed upon resolution of Parliament. Boards are constituted in much the same way as in Victoria and South Australia. There is no court of appeal other than the Supreme Court. No provision is made against strikes or lock-outs except as against a determination, in which case a penalty of £500 may be imposed upon an association, or £20 upon an individual. In all other respects the system is so similar to those already described that further comment is unnecessary.

II. THE SYSTEM IN OPERATION

As the act was originally designed, the "reputable employers" clause, discarded elsewhere, was adopted. Hence the wages to be determined by any board were limited to those paid at the time such board came into being, and it was not believed that any increase could be made above those rates. Owing to the strenuous opposition of employees, it was soon demonstrated that the law would prove inoperative unless some change was made. The first attempt to form a wages board in the clothing trade was met by a refusal of the employees to allow their names to be submitted for nomination. In 1911, the objectionable clause was repealed and boards were established with the power to raise rates above the existing level. Up to April 30, 1914, the appointment of twenty-three boards was authorized by Parliament. Nineteen boards have already made determinations. Fifteen of these apply to the whole state, one only pertaining exclusively to the metropolitan area. Aside from the determinations, there are ten awards

of the Commonwealth Court in force, besides thirty-nine agreements sanctioned by the same authority.⁶

1. ENFORCEMENT

One of the obstacles first confronted in enforcing the statutory minimum wage was the lack of any provision making the non-payment of this rate a punishable offense. Over thirty cases in which wages were below the prescribed scale were brought to light, but as soon as the defect in the law was learned, enforcement was impossible.⁷ This difficulty was removed by an amendment passed in the following year. Since that time this provision has been well observed.⁸

As in other states, the determinations of the boards are enforced by the inspectors of the Factories Department. Proceedings may also be taken by any member of the police force with the consent of the Minister. In 1912 it was reported that the determinations were being generally observed in the timber, bricklaying, painting, and other similar industries.⁹ In the boot trade it was necessary to keep strict supervision over certain manufacturers, especially as regards females, but it has not been necessary to take any action for breach of a determination.¹⁰ There has been some difficulty in granting permits to incapacitated workers. Many applications were first made by strong, able-bodied men which were necessarily refused.¹¹ Closer investigation is needed in some instances, but there has been nothing novel in the initial working of this plan. Forty-two permits were granted to workers in 1912, the majority being to timber workers and carters and drivers.

Aside from the matter just mentioned, there have been a number of employers who repeatedly profess ignorance of what is required, yet at the same time are fully aware of all of their privileges under the act. Some difficulty has been experienced in get-

⁶ Commonwealth Bureau of Census and Statistics, Labor Bulletin, No. 5, p. 67.

⁷ Report of the Department of Public Health, 1910, p. 8.

⁸ Report of the Chief Inspector of Factories, 1912, p. 4.

⁹ Ibid., p. 21, 22.

¹⁰ Ibid., p. 20.

¹¹ Ibid., p. 18.

ting the information as to wages from some employees who have evidently been afraid of dismissal. The connivance of employer and worker, while rather infrequent, is as hard to get around here as elsewhere. But notwithstanding this draw-back, it should be said that the majority of employers are desirous of carrying out the spirit of the act.¹² Those charged with the enforcement of the law are not meeting with any more difficulty than have other officials upon the initiation of a similar system.

2. BENEFITS TO THE WAGE EARNER

One of the good results of the present act has been the prevention of sweating in the work shops of the clothing trade, although low payment has not been so pronounced in this trade as upon the mainland.¹³ There has been a general rise of 7.5 per cent. in the wage rates of the boot trade with a further increase of 1d. per hour.¹⁴ In the timber industry there has likewise been a general rise, the rates in several districts being uniformly increased 10 per cent.¹⁵ According to the tables compiled by the Factory Department, there has been a general increase of wages of from 15 to 56 per cent. in those trades now controlled by board determinations. There has likewise been an increase of 25 per cent. in the cost of provisions and of 55 per cent. in rents, but at the same time there has been an improvement in the standard of living. The amount of unemployment is lower here than in any other state of the Commonwealth.¹⁶ Comparatively little time is lost through industrial warfare, so that taking all factors into consideration, it would seem that labor is fairly holding its own.

3. STATUS OF INDUSTRY

Immediately after the determination made in the boot trade, the retail prices of boots and shoes were generally increased about 10 per cent. throughout the state. During the following year there was a decrease of fifty in the number of employees in

¹² Report of the Chief Factory Inspector, 1913, p. 4.

¹³ Report of the Chief Inspector of Factories, 1912, p. 19.

¹⁴ Report of the Chief Inspector of Factories, 1912, p. 20.

¹⁵ Ibid., p. 21.

¹⁶ Commonwealth Bureau of Census and Statistics, Bulletin No. 5, p. 13.

such factories. While this tendency has not been so marked in other lines of production, statistics do not show that industry has progressed to any extent since wage legislation was enacted. It should be said that as no adequate statistics were gathered until 1909, there is a possibility for error in this respect. According to the Chief Factory Inspector, there has been a slight increase in the total number of employees, but the opposite is true if we are to believe the Government Statistician. It is undoubtedly true that such trades as boot making and clothing are handicapped by the large scale competition of the factories upon the Continent.¹⁷ Another factor to be accounted for is the time necessary for adjustment to new conditions, yet the building trade has been brisk, especially in Hobart and its suburbs. Depending largely upon its primary sources of production, Tasmania does not rely upon her manufactures for subsistence. Perhaps as has occurred in Victoria, manufacturing will in time secure a new foothold and expand as it has elsewhere under similar circumstances. The following table illustrates in a measure the relative position of industry since 1910:

MANUFACTURES IN TASMANIA¹⁸

| | 1910 ¹⁹ | 1912 | Increase per cent. 1910-12 |
|--------------------------------------|--------------------|------------|----------------------------------|
| Number of establishments..... | 605 | 611 | .9 |
| Persons employed ²⁰ | 9,980 | 9,461 | -5.2 |
| Males | 8,277 | 7,914 | -4.3 |
| Females | 1,703 | 1,547 | -9.1 |
| Plant and machinery..... | £1,020,156 | £1,161,019 | 13.8 |
| Total wages paid..... | £672,034 | £727,840 | 8.0 |
| Value of output..... | £3,075,762 | £3,871,916 | 25.8 |
| Population | 193,803 | 197,205 | 1.7 |

III. CONCLUSION

In this most recent experiment in wage legislation, we see exemplified many of the same difficulties and obstacles which have

¹⁷ Report of Chief Inspector of Factories, 1912, p. 20.

¹⁸ From Statistics of Tasmania, 1912, Part V, p. 278, and Appendix B, p. 2.

¹⁹ The returns were first gathered in 1909 and are likely to be overstated for 1910.

²⁰ According to the report of the Chief Inspector of Factories, 1913, p. 14, the number of persons employed increased from 7,704 in 1911 to 7,796 in 1913.

confronted the older and more established systems. The permit privilege has been abused, and employers have evaded the law. Yet upon the whole, the act has been well enforced. The condition of many classes of workers has been improved. Unemployment is at a lower level than in any other state. Although there are a few minor disputes yearly, Tasmania is remarkably free from industrial strife. The cost of the wages board system is one weakness to be noted in its administration. In 1912, this cost amounted to almost £2,000 and it was only £200 less for the following year.²¹ The largest part of this expense has been due to the wide area over which the boards operate, the railway fares and traveling expenses being the largest item in the bill. The present grouping of trades, so as to make boards as comprehensive as possible, thus avoiding multiplication, may have to be altered in the interest of economy. As concerns industry, it is evident that physical isolation from the Continent has not precluded serious competition. What the results of this will be under the new conditions imposed by legislation remains to be seen. Trade unionism is fairly strong, there being 8,655 union members in 1912. Although not as strong as in South Australia or New South Wales, there is no evidence to show that it has been injured by the wages boards. Most of the nominations for board members come from these associations. The act is in no way dependent upon the unions, except in so far as it provides a penalty for such associations joining in a strike against a determination. Considered from the standpoint of the trade unionist, the employer, and the average working man, there is ground for both criticism and approval of the board system of Tasmania.

²¹ Report of the Chief Inspector of Factories, 1913, p. 5.

CHAPTER V
The Commonwealth

[2203]

I. PURPOSE AND GENERAL NATURE OF THE FEDERAL ACT

The general purpose of the Commonwealth Conciliation and Arbitration Act, as expressed in the title of the first statute, is the prevention and settlement of industrial disputes extending beyond the limits of one state. It constitutes the only industrial tribunal in Australia which has the power to put competing employers of all states upon a basis of equality. The original act was passed in 1904 after a severe Parliamentary struggle which wrecked more than one administration, owing chiefly to the divergent views concerning the granting of preference to unionists. The original act is still in effect, as amended in 1909, 1910, and 1911.^{21a} Its jurisdiction was still further extended by the Arbitration (Public Service) Act of 1911, which enabled the Court to deal with claims made by organizations of Government employees. Since 1910 the provisions of the entire law apply not only to the five states already discussed, but to disputes within the Federal Capital Territory and the Northern Territory as well.

As in the case of some of the arbitration systems already discussed, organization is the main corner-stone of the act. Either 100 employees, or employers who have had in their employ at least 100 workers may register as an association, thereby becoming entitled to submit to the Court any industrial dispute in which it may be interested.²² An organization may sue and recover fines, levies, or duties, payable by any member and must forward to the Registrar periodic returns concerning members, accounts, and alterations of its rules. Generally, the unions registered are formed along trade or industrial lines. By the act of 1911, it was made possible to register a craft union, thus nullifying the previous decision of the High Court against such registration.²³ The Court itself consists of a single Justice of the High Court appointed by the Governor Gen-

^{21a} A further amendment was enacted in 1914, but a copy of the amended act was not available when this report went to press.

²² Commonwealth Conciliation and Arbitration Acts, 1904-11, §§ 60-65.

²³ Commonwealth Conciliation and Arbitration Act, 1911, No. 6, § 4.

eral for a term of seven years. Disputes may be brought before this tribunal by the Registrar, by the complaint of a federal organization, by any State Industrial Authority, and by the President himself, after holding a compulsory conference at which no agreement has been made.²⁴ In making its decision the Court has practically no standards except that of "equity and good conscience." Preference may be granted, but as a rule it is refused. The jurisdiction of the Court is comprehensive, and includes all matters relating to work, pay, hours, rights or duties of employers or employees, and the conditions of employment or unemployment. Its verdict is final, but a case may be stated by the President for the opinion of the High Court. Strikes and lock-outs are prohibited by a fine of £1,000, but peace by conciliation rather than by arbitration, is the primary purpose of the Court. A compulsory conference may be held by the President in the case of any threatened industrial dispute. Industrial agreements having his approval may also be filed by any registered organizations. Much of the best work of the Court, of which the public seldom hears, has been accomplished by conciliatory means. Such in brief, is the general organization of the machinery for dealing with interstate disputes.

II. THE COURT AT WORK; ITS ADMINISTRATIVE AND JUDICIAL POLICY

Registration under the Commonwealth legislation has proceeded steadily since 1906, but has been marked by the apparent antipathy of employers to the acts. During the first five years following 1906, only two unions of employers were registered. But as proceedings are usually initiated by the workers, this fact has not hindered the operation of the law. The registration of employees in each year since 1906 has been as follows. It is evident from these figures that the Court has won in increasing measure the confidence of the workingman.

REGISTRATION OF UNIONS OF EMPLOYEES UNDER THE COMMONWEALTH ACTS²⁵

| Year | Number of Unions | Number of members |
|----------------|------------------|-------------------|
| 1906 | 20 | 41,413 |
| 1907 | 24 | 57,306 |
| 1908 | 37 | 69,536 |

²⁴ Commonwealth Conciliation and Arbitration Acts, 1904-11, § 19.

²⁵ Official Year Book of the Commonwealth of Australia, 1912, p. 1015.

| Year | Number of Unions | Number of members |
|----------------|------------------|-------------------|
| 1909 | 7 | 14,161 |
| 1910 | 10 | 3,760 |
| 1911 | 24 | ..... |

The work of the Court has been done by two judges, Mr. Justice O'Connor, and Mr. Justice Higgins, the latter having formulated in the main, its policy. Mr. Justice O'Connor served only two years, resigning his office in 1907. During the incumbency of these two men, especially the latter, some of the most significant and far reaching industrial problems of the entire Commonwealth have been adjusted. This has been done with comparatively little time occupied in court sessions, the entire number of disputes up to August 7, 1909, taking only 140 days. Some of the later cases such as that of the Tramway Employees' Association and of the Australian Workers' Union have taken much longer, the average time required for some of the latest awards being about twenty-five days each. At present seventeen awards applying to the several states, are in force. Four apply to five, and two to four states each, while the award governing the postal electricians is effective throughout the Commonwealth. There are also 109 agreements filed under the jurisdiction of the Court, the majority of which are effective in at least two states. It is thus evident that so far as concerns the amount of business done, the Court has rendered its greatest service by conciliation.

1. JURISDICTION AND GENERAL POWERS OF THE COURT.

The best basis upon which to form an opinion of the influence and activities of the Court is found in the decisions and orders made concerning the disputes which have come before it. In considering these cases, it will be well to keep up in detail some of the chief subjects which have been presented for settlement. One of the first questions of importance is, what constitutes a dispute? In one of the early decisions it was held that a dispute to be dealt with by the Court must be something more than a mere personal quarrel, grumbling, or agitation. It must be something fairly definite and of real substance.²⁶ It is not sufficient that the em-

²⁶ Commonwealth Arbitration Reports, 3-7.

ployees of one state subscribe to the demands of the employees of another state with the mere object of helping them create a dispute extending beyond state lines.²⁷ It must be a genuine controversy on the part of the claimants of each state. However, the Court will not refuse relief where the men in each state are in the habit of comparing similar conditions for similar work in other states, even though a state wages board may have made a determination. This conclusion was reached in a case where the boards were not able to deal with all of the subjects in dispute or with places outside of certain limited areas. The fact that the wages in different states were glaringly inconsistent, was another factor favoring the claimants.²⁸ This whole question has been a matter of annoyance and difficulty, because of the attitude of the High Court. In the Merchant Service Guild case the whole proceeding became a nullity because the superior court was unable to conclude from the transcript of the case that there really was a dispute.²⁹ In order that the time of the Arbitration Court be utilized to the best advantage, it is highly imperative that it be given full power to determine when there is a dispute, or that the High Court should previously pass upon the question.

In still other ways, the High Court has limited the authority of the arbitration tribunal. No claimant may cite employers before the Court who do not employ members of a registered association. In 1909 it was held that while the Court had power to increase the wages fixed by a state board or to decrease hours, it had no authority to decrease wages or increase hours.³⁰ This has rendered it much more difficult to make a workable award. Carrying the principle still further, it has been held that the Court cannot make its award a common rule for the industry.³¹ This prohibition has been evaded by securing the consent of both employers and employees to make an award a common rule through the action of the wages boards in the several states. This was done to good advantage in the case of the boot and building trades.³² Although the nature

²⁷ 4 C. A. R. 54.

²⁸ 7 C. A. R. 217.

²⁹ 6 C. A. R. 146.

³⁰ 10 C. L. R. 266.

³¹ 11 C. L. R. 311.

³² 7 C. A. R. 235.

of industries which may be brought in review is generally unlimited, jurisdiction over the conditions of employment on the State railways has been refused. However, other employees in the public service may still avail themselves of the privileges of the Act. In the early part of 1914 it was decided that the clause of the amended Act denying the High Court the power to issue a prohibition order or a mandamus against an award of the Arbitration Court was *ultra vires*. By this decision the High Court declared that it may hold in abeyance an award of the Arbitration Court.³³ What the ultimate effect of this decision will be is not yet evident. So far, while the limitations imposed by the higher tribunal have hampered the Court in its work, they have not been so serious as to destroy its effectiveness.

2. ESSENTIAL CONSIDERATIONS IN FIXING THE MINIMUM WAGE

The first President of the Court, Mr. Justice O'Connor, laid down no definite principles upon which to fix minimum wages, except that the Court should make such a settlement of the matters in dispute as it should deem fair and reasonable. In the principal case heard by him, which concerned the officers on merchant ships and did not involve the question of a living wage, the Court held that employees should not share in the profits because they incurred no financial risks.³⁴ The market value of the services rendered was held to be the most important test to be applied in determining the wage to be fixed, although allowance was made for some other factors such as the responsibility of the work and increased living costs.

Mr. Justice Higgins, who succeeded Mr. Justice O'Connor in 1907, laid down the first clear principles upon which to fix minimum rates. After calling attention to the neglect of Parliament to indicate any definite line of action, he proceeded to state what in his opinion, should constitute the lowest wage to be paid to the unskilled laborer. This case brought under the Excise Tariff Act of 1906, stands as a landmark in the history of wage legislation. The standard here adopted was as we have already seen,

³³ Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 72.

³⁴ 1 C. A. R. 1.

the amount necessary to meet the "normal needs of the average employee, regarded as a human being living in a civilized community."³⁵ This standard, as established for adult men, has meant an amount sufficient to support the average unskilled laborer and a small family consisting of a wife and three children.³⁶ In the *Marine Cooks Case*, he clearly expressed his opinion upon this subject as follows: "Probably it is not one of my functions, already sufficiently responsible, either to encourage or discourage matrimony; but it surely is not an extreme view, or unduly pessimistic, to take, that marriage is the usual fate of adults, and, if so, a wage that does not allow for the matrimonial condition for an adult man is not fair and reasonable, is not a 'living wage.' In other words, I cannot accept the philosophic theory that marriage is a luxury."³⁷ This principle has been constantly applied to the effect that wages should be such as to encourage men to make homes.³⁸ In the award governing seamen, provision has been made for time off at the worker's home port, and for the payment of wages at stated times to a wife or other nearer relation.³⁹ In line with this practice is the refusal to pay lads under twenty-one years of age the same rate as adult men.⁴⁰ There is no question in the mind of Justice Higgins that the living wage for adult men means a family wage.

With the principle of fixing the minimum wage for unskilled labor clearly established, the Court has given attention to the evidence upon which this can be done. As we have already seen, the evidence in the *Harvester Case* consisted of the budgets of nine households, with the aid of which, the sum of 7s. per day was decided upon as the living wage. In the *Broken Hill case* of 1909, more extensive data was secured. This consisted in the main of four kinds; the statements of dealers as to the prices of necessary commodities, the average weekly purchases of certain workers' families in the cooperative stores at Broken Hill, the practice of great institutions such as insurance companies, and the

³⁵ See *supra*, p. 882.

³⁶ See 3 C. A. R. 20; 5 C. A. R. 73; 7 C. A. R. pp. 5, 72.

³⁷ 2 C. A. R. 64.

³⁸ 5 C. A. R. 164. See also 6 C. A. R. 20.

³⁹ 5 C. A. R. 167.

⁴⁰ 5 C. A. R. 104.

domestic budgets presented by working men and their wives.⁴¹ The evidence of house and land agents was also secured. As a result of these various considerations, it was decided that at least 8s. 7½d. was necessary for the unskilled laborer at Broken Hill, while at Port Pirie 8s. 3d. was considered sufficient.

It is interesting to know that in arriving at the cost of living expenses, the figures for rent, groceries, bread, meat, milk, fuel, vegetables, and fruit, were carefully considered, while the items for life insurance, savings, benefit societies, books and papers, amusements, religion, and charity, were simply lumped together and fixed at a certain amount. This method with variations has been followed in later decisions. The increase in the cost of living since 1906 has been noted by the Court, but because of the lack of definite evidence, it was long thought inadvisable to alter the basic wage.⁴² In his most recent awards, Mr. Justice Higgins has relied upon the figures of the Commonwealth Statistician and like data, especially when discriminating between cities.⁴³ Thus guided, the Court decided in one of the most recent awards, that unskilled building laborers in Melbourne and like places should be paid not less than 50s. per week. The greatest criticism which can be made of the calculations of Mr. Justice Higgins, is the inadequate evidence upon which they are based. He has admitted that with the materials at hand he can secure only a rough approximation to fairness, especially when fixing wages for inland points.⁴⁴ He has repeatedly voiced the need of more adequate data, and this the Commonwealth Bureau of Census and Statistics is now attempting to furnish. However, there has been no such detailed and thorough going study concerning the elements of the living wage as was recently made by Mr. Justice Heydon. Such a searching inquiry may become necessary in view of the recent changes both in prices and in wages.

The matter of statistics aside, there are certain other general considerations which have influenced the fixing of the living wage. The fact that galley men have no Sundays or holidays was deemed

⁴¹ 3 C. A. R. 22.

⁴² 4 C. A. R. 93; 5 C. A. R. 14.

⁴³ 7 C. A. R. 69-74.

⁴⁴ 7 C. A. R. 141.

worthy of notice.⁴⁵ It was held that the tips of marine stewards should be deducted from the sum necessary for their support.⁴⁶ The expenses of shearers when on long trips was provided for, as well as a certain amount for the expenses of building laborers when doing country work.⁴⁷ Winding engine drivers who raise and lower the miners have been paid 12s. as against 11s. for those working upon ordinary cars.⁴⁸ On the other hand, the pay of public servants has not been diminished by reason of the permanence of their service or other privileges.⁴⁹ In short, it has been sought to express the influence of the various factors which materially effect the living wage.

The basic rate of wage is practically the same for all classes of unskilled labor. Some gradations are made as between various classes, such as blacksmiths and painters, because of the peculiar requirements of their trade or the accompanying physical environment. But in the building trades, all laborers from those who excavate in the trenches to those employed upon the scaffolds, are paid the same rate.⁵⁰ This is the general tendency as concerns this class of labor, although of course, gradations are made for such reasons as have been noted. But when it comes to skilled workers, a different plan is pursued. The general practice of the Court has been to follow the methods of experienced employers in great undertakings. In the *Harvester Case* already referred to, Justice Higgins said: "The ratio of wages paid by an employer is a tolerably safe guide as to the relative merits of the two classes, although the absolute amounts may be too low."⁵¹ Thus, the laborer's wage was fixed at 7s. and the rate for the sheet-iron worker at 9s. per day. Mr. Justice Higgins has constantly felt that the safest line to follow is to keep close to the accepted distinctions in grades of wages paid by employers for many years.⁵² His practice in this respect is well expressed as follows: "The living wage is the first essential in the settlement of a dispute and

⁴⁵ 2 C. A. R. 63.

⁴⁶ 4 C. A. R. 63.

⁴⁷ 5 C. A. R. 73; 7 C. A. R. 229.

⁴⁸ 5 C. A. R. 21.

⁴⁹ 7 C. A. R. 13.

⁵⁰ 7 C. A. R. 229.

⁵¹ 2 C. A. R. 16.

⁵² 2 C. A. R. 67.

as far as possible, I appraise the different degrees of skill according to the same scale as is at present used and accepted by the employers and the employees."⁵³ Besides the experience of public bodies, the Court has observed and compared the wages for similar mechanics in Great Britain, Canada, and the United States in fixing the rates for the various classes of workers. It has been the opinion of the Court that the scale of wages should be based upon the highest functions an employee may be called upon to exercise.⁵⁴ This ruling was made because of the necessity of securing safety in the case of the postal electricians.

Having once settled the minimum remuneration for the schedule classes of labor, the Court has usually left the compensation for special skill or qualifications to the employer.⁵⁵ In dealing with the employees of a public service corporation, it was ordered that promotions might be made according to efficiency rather than seniority.⁵⁶ Employers are usually willing to pay superior wages in order to get men of superior skill, and the Court has therefore been opposed to making refined discriminations of rates. As Mr. Justice Higgins has significantly pointed out: "Such refinements are over-subtle for the purpose of minimum rates, and, if continued, may break down the whole system of regulating wages."⁵⁷

However, as in the case of unskilled labor, trade usages and social customs have been considered, as well as the primary factor of a difference in skill. When fixing the remuneration of ships' officers in 1910, he made allowance for the expenditure required to purchase special uniforms, badges, and trappings. As this was a burden which must fall upon these men by reason of company regulations, it was deemed essential that it be taken into account in fixing the minimum wage necessary for a man in an officer's position.⁵⁸

In the matter of piece rates, Mr. Justice Higgins has followed the general practice of other courts in reducing piece work rates

⁵³ 2 C. A. R. 77.

⁵⁴ 7 C. A. R. 8.

⁵⁵ 3 C. A. R. 18.

⁵⁶ 7 C. A. R. 18.

⁵⁷ 7 C. A. R. 223.

⁵⁸ 4 C. A. R. 95. See also an article by Professor M. B. Hammond, *Judicial Interpretation of the Minimum Wage in Australia*, *The American Economic Review*, Vol. 3, p. 277.

to a time basis, in order to ascertain what the average worker should receive for a day's work. Expert testimony is required from both employer and employee in calculating such rates.⁵⁹ This was done for the shearers in 1911, as well as for the fruit growers and building laborers. Piece work is not as prevalent in Australia as in the United States, which fact has been observed by the Court. In the Federated Boot case of 1909, an order for piece work was refused because of the antiquated log proposed.⁶⁰ But it has been allowed for the fruit growers even though there seemed to be a danger in it, because the Court did not wish to interfere with the employer in his business.⁶¹ In the building trade award, the fixing of these rates by the employers was forbidden, the Court insisting on this prerogative.⁶² Such rates have admittedly been allowed with caution, in order to prevent their abuse by unscrupulous employers.

A matter of some interest when considering the question of rates, is the attitude of the Court toward the contract system. In 1909, it was stated that 98 per cent. of the miners concerned in the Broken Hill dispute were employed by contract. The contract clause was inserted in the award but the extension of the system was prohibited so as to prevent an evasion of the wages prescribed.⁶³ Likewise the plaint in the shearers' case was amended so as to forbid evasion by the contractors.⁶⁴ But while opposed to any evasive tendency, the Court has refused to interfere with sub-letting such work as plastering.⁶⁵ It is evident that there is no desire to interfere with contract work so long as the award is observed. When this ceases to be the case, an order for restriction is usually given.

The usual Australian custom in regard to hours has commonly been followed, forty-eight hours of labor being the standard working week. In some cases such as that of the postal electricians, forty-four hours have been allowed, because there it was believed that a full hour off at noon was conducive to efficiency.

⁵⁹ 5 C. A. R. 73.

⁶⁰ 4 C. A. R. 27.

⁶¹ 6 C. A. R. 76.

⁶² 7 C. A. R. 232.

⁶³ 6 C. A. R. 77.

⁶⁴ 5 C. A. R. 99.

⁶⁵ 7 C. A. R. 232.

This, however, was in the case of Government employees. In the recent builders award of 1913, the working week was also fixed at forty-four hours, but the Court declared that if forty-four hours was given in a forty-eight hour community, the workers should not expect to take home as much wages as those who worked forty-eight hours.⁶⁶ In this matter the general custom of trades and localities has been observed, as the following sentence indicates: "It is my duty to accept recognized standards, not to create them."

Holidays and Sundays have usually been allowed in fixing the conditions of work. There have been some exceptions such as that of the Broken Hill case of 1911, where in a continuous industry a decision of the High Court made it impossible to fix one day's rest in seven.⁶⁷ Therefore, forty-eight hours was fixed as a week's work with extra rates thereafter. But to seamen, engineers, and others, not only Sundays, but certain holidays as well have usually been granted. Despite the contrary decision of Judge Heydon, Justice Higgins has held that "to award holidays is the same in principle as to reduce the hours of work or to increase an employee's privileges."⁶⁸ Adequate rest and recreation is regarded as essential to the well being of the employee.

Irregularity of employment has been a prime consideration in making awards for certain trades. Casual work of an unskilled character is usually paid by the hour. Regard has been given to "broken time" and to the expense of money and time incidental to getting to and from work. In the case of the traveling shearers and the cannery workers in the fruit industry, the principle of fixing wages by the returns of the expedition was applied. The problem was to calculate a fair return for men starting on such expeditions, making allowance for the time and expense of going and returning.⁶⁹

In an article by Miss Mary Chamberlain who recently reported an interview with Mr. Justice Higgins, attention has

⁶⁶ 7 C. A. R. 229.

⁶⁷ 5 C. A. R. 24.

⁶⁸ 5 C. A. R. 161.

⁶⁹ 6 C. A. R. 61. See also an article by Mary Chamberlain, *Settling Labor Disputes in Australia*, *The Survey*, Vol. 32, p. 456.

been called to the practice in regard to car men and dock laborers. In a recent decision mentioned by Miss Chamberlain, the President ruled that 1s. 9d. per hour should be awarded as contrasted with 7s. for an eight hour day, previously regarded as the minimum living wage for an unskilled laborer. At the same time, it was strongly recommended that the employers devise some system of co-operation so as to give the men full weekly work at weekly wages. It was pointed out that whereas the work is casual and uncertain, "the necessity of the man and his dependents are certain, continuous, and incessant."

In the builders' award it was estimated that 20 per cent. of the usual working time of a laborer is lost in normal times through wet weather, and in waiting between jobs and for material. Although Justice Hood in Victoria did not make any allowance for this reason, the precedent set in 1907 by Judge Cussen, also of Victoria, was followed.⁷⁰ But it was also stated that if an employee is called for duty and there is no work, no extra compensation shall be allowed, as the rate already fixed is sufficient.⁷¹ Nor is any encouragement given to idleness between seasons, the worker being expected to find other employment to supplement the occupation in question.⁷² Thus an attempt is made to put casual employment upon the same relative basis as regular occupations.

Another principle adhered to is that of refusing to take notice of unhealthy conditions which are not necessarily incidental to an occupation. Such conditions have been left to Parliamentary regulation, the Court holding that it is not a legislature with power to make a complete code for any kind of industry.⁷³ In considering the condition of marine cooks, the President declined to make an award on the basis of conditions "which are unwholesome or degrading."⁷⁴ Extra compensation for carrying a hod above a certain height has been refused upon the same principle.⁷⁵ This view has not precluded the granting of compensation for accidents along the lines of the Commonwealth act of compensa-

⁷⁰ 7 C. A. R. 220.

⁷¹ 7 C. A. R. 231.

⁷² *The Survey*, Vol. 32, p. 456.

⁷³ 6 C. A. R. 130; 3 C. A. R. 28.

⁷⁴ 2 C. A. R. 60.

⁷⁵ 7 C. A. R. 231.

tion for public servants. Such a provision has frequently been incorporated but this bears no essential relation to the rate of wages.

Improvers and apprentices have been a source of vexation to this Court no less than to the state tribunals. In the Harvester case so often referred to, Mr. Justice Higgins refused to make a rate for improvers, stating that such half trained men hanging on to the skirts of a trade were used for the purpose of pulling down the wages of men fully trained.⁷⁶ In the boot case he declared that improvers were a "perpetual menace to the peace of the community." As a rule they have been put upon the same basis as slow workers and given permits when needed. For apprentices, thorough training has been favored. Provision was made in the boot case for the substitution of a specified subject of apprenticeship upon submission to a board of reference.⁷⁷ Because of the decision of the High Court,⁷⁸ no satisfactory arrangement in this respect has been possible, as a specific statement of the questions the board shall decide is required before the Court knows what those questions will be. However, a provision for a board of reference was put in the recent builders' award with the hope that it would be effective.⁷⁹ In order that the Court may carry out its orders for the adequate training of apprentices, some change is needed in this feature of the present procedure.

From the standpoint of American conditions, one of the most important questions which has been decided is the principle upon which the wages of men and the wages of women are fixed. This principle is that the minimum wage must be the rate paid for any given class of workers. It is so well stated in the words of Mr. Justice Higgins, that they will bear repetition:

"Now I make a distinction of three classes. The first is the class in which all or practically all the workers are men, blacksmiths for instance, and to which a man's wage should be paid, recognizing that one of the normal needs of the average employee is the need for domestic life.

"The second class is one such as fruit picking in which

⁷⁶ 2 C. A. R. 16.

⁷⁷ 4 C. A. R. 23.

⁷⁸ 11 C. L. R. 62.

⁷⁹ 7 C. A. R. 234.

men and women do the work equally well. For this class too, a man's wages should be insisted upon, both because it tends to greater efficiency in the work when there is true and healthy competition, and because it prevents the displacement of men by women in industry.

"But for the third class of workers, the class where women are continually employed in preference to men, another standard should fix the legal rate of wages. I believe that this should be the cost of living for the individual girl, living away from home with the responsibility of supporting herself."⁸⁰

The principles here so clearly set forth were laid down in the Fruit Growers' case of 1912, where the claim was set up that women should receive "equal pay for equal work." This claim was granted and the employer is at liberty to select whichever sex and whichever person he prefers for the work. It is true that many girls have family responsibilities, but for the class as a whole, this is not the case. Hence the individual standard for women, and the family standard for men has been established as a logical application of the principle of the living wage.⁸¹

When the living wage comes into conflict with the profits of industry, the Court has shown no hesitancy in declaring its position. In the Harvester case, it was said that "if the profits are nil, the fair and reasonable remuneration must be paid."⁸² As this decision was given under the Excise Tariff Act by which exemption from a heavy duty was allowed when fair wages were paid, perhaps it should not be taken as a precedent. But in a celebrated case involving the mining industry, in which it was shown that the mines were in a state of decline and might have to shut down if the existing wages continued to be paid; the Court declared that unless the considerations were very exceptional, the needy employer should pay the same rate as his richer rival. "It would not otherwise be possible to prevent the sweating of employees, the growth of parasitic enterprises, the spread of industrial unrest — unrest which it is the function of this

⁸⁰ *Survey*, Vol. 32, p. 456.

⁸¹ 6 C. A. R. 62.

⁸² 2 C. A. R. 5.

Court to allay. If a man cannot maintain his enterprise without cutting down the wages which are proper to be paid to his employees — at all events the wages which are essential for their living — it would be better that he should abandon the enterprise.

"For to surrender any part of the living wage is to surrender the vital point of unionist effort in behalf of employees. I face the possibilities of this mine remaining closed, with all its grave consequences; but the fate of Australia is not dependent on the fate of any one mine, or of any one company; if it is a calamity that this historic mine should close down, it would be a still greater calamity that men should be underfed or degraded."⁸³ But this does not mean that the possible returns of industry should never be considered. If the industry is novel and the employee gets a living wage, workmen of skill may consent to work for less than the proper wage so as to "assist an enterprise which will afford them and their comrades more opportunities for employment hereafter. For this purpose it is advisable to make the demarcation as clear and distinct as possible between that part of wages which is for mere living and that part which is due to skill."⁸⁴

Not only has the Court been willing that the wages for skill should be reduced where the condition of an industry demanded it, but it has been very slow to interfere with the administrative management of a company. The boot makers of Brisbane were given time to make an adjustment to new conditions in 1909. The same concession was made in the case of the building trade for the convenience of employers in Sydney and Adelaide.⁸⁵ The tests of the chief engineer of the postal electricians were not interfered with for the same reason. A further manifestation of this policy has been the refusal to give preference, except where it is absolutely necessary to prevent discrimination against unionists. The only order which has been given for preference was made against the Brisbane Tramways Company in 1912. These employers had constantly fought the unions and refused to promise that they would not discriminate in favor of non-members.⁸⁶ Preference is thus regarded merely as a weapon of defense to prevent the bleed-

⁸³ 3 C. A. R. 31.

⁸⁴ 3 C. A. R. 31. Also 5 C. A. R. 73.

⁸⁵ 7 C. A. R. 236.

⁸⁶ 6 C. A. R. 162.

ing of unions.⁸⁷ It is evident from these facts that the Court has favored the employer so far as possible. Its whole attitude in relation to industry is well summed up in the following statement:

"The pressure on the employer is often very great and he ought to be free to choose his employees on their merits and according to his own exigencies, free to make use of new machines, of improved methods, of financial advantages, of advantages of locality, of superior knowledge—free, in short, to put the utmost pressure on anything and everything, except human life."⁸⁸

The problem of interstate competition as concerns industrial legislation is much the same in Australia as it is in the United States. In fixing conditions for the several states, an effort has been made to harmonize them according to the needs of the worker in the various localities. In one of the first cases before the Court, it was declared that so far as possible, the rule throughout Australia should be, "like conditions, like wages."⁸⁹ In the boot trade where foreign as well as interstate competition has figured, it was stated that each manufacturer was entitled to all the advantages which his situation and circumstances might give him.⁹⁰ In a later case, his Honor said: "There must be some very solid distinction, some very clear, broad line of demarcation in conditions to justify any discrimination between states;"⁹¹ and again, "It is not for me to help one competitor against another."⁹² This is not to say that the living conditions in different parts of the Commonwealth are not recognized. On the contrary, differential rates are fixed for the various cities, and it is sought to treat these localities equally, so far as the cost of living is concerned.⁹³

Finally, it must not be forgotten that the purpose of the Arbitration Court is primarily to secure industrial peace, as well as to guarantee a living to the worker. Although stating that no terms were fair and reasonable which did not allow a man to live from his

⁸⁷ 7 C. A. R. 233.

⁸⁸ 4 C. A. R. 18.

⁸⁹ 2 C. A. R. 31.

⁹⁰ 4 C. A. R. 13.

⁹¹ 5 C. A. R. 86.

⁹² 6 C. A. R. 22.

⁹³ 7 C. A. R. 138, and 221.

labor, his Honor said in one of the early cases, "but I have to look all round the subject, and see that I do not create more disputes than I settle."⁹⁴ In the mining awards, frequent reference is made to the necessity of again setting in motion the wheels of industry.⁹⁵ The interests of the public have to be considered as well as those of the parties to the dispute. While wages boards may not feel this obligation, the Court, as an "instrument created to protect the public from the evils of industrial warfare, is under such a duty."⁹⁶ This conception of the function of the Court is further amplified in a recent decision involving the Metropolitan Gas Co.: "Now, of course, an Arbitration Court, such as this Court, has to approach the subject of the minimum wage from a point of view different from that of a wages board or of the Court of Industrial Appeals. It has primarily to settle disputes, to promote peace in an industry; whereas the Wages Board is, primarily, to prevent 'sweating,' or underpayment. If I could not manage to keep the wheels of the industry moving except by awarding less, or more, than the ideal minimum, I might be justified in making such an award. The ascertainment of the ideal minimum, which is the direct object of the Wages Board, is only a step in one of the processes of the Arbitration Court. This Court has, moreover, to consider a multitude of subjects other than wages—subjects which the Wages Boards cannot touch."⁹⁷

In furtherance of this purpose, the Court has always endeavored to secure an agreement in preference to making an award. Frequently the unions are required to promise their support before the President will proceed with the matter in hand. Conciliation has been the means of settling many serious controversies, which would probably have resulted in strikes or lock-outs. It is true that they have not been prevented, and that industrial uprisings cannot be done away with by mere Parliamentary action. However, it seems that such occurrences have been greatly minimized by the substitution of more peaceful methods for the extreme courses often pursued.

⁹⁴ 2 C. A. R. 61.

⁹⁵ 3 C. A. R. 33. Also 4 C. A. R. 64.

⁹⁶ 5 C. A. R. 160.

⁹⁷ 7 C. A. R. 66.

According to Professor Hammond who has written very ably concerning wage legislation in Australia after making a first hand study of conditions, the President of the Commonwealth Court is by no means popular with most of the employers who have appeared before that tribunal. It is his opinion that this unpopularity is due more to certain sharp statements concerning employers made by the Judge in his decisions, and to his crisp attitude toward them when they appear upon the witness stand, than to any unfairness in the decisions themselves.⁹⁸ This fact is to be deprecated when the position of the Court and its enormous power is considered, but a reading of the decisions of the Court is enough to convince the impartial student that there is little, if any bias in the attitude of the President. It is significant that upon more than one occasion the employers have assented to the doctrine that no man should be asked to work for less than a living wage, in spite of their strong prepossessions in favor of the law of supply and demand.⁹⁹ In cases such as that of the Merchants Service Guild where specific demands were made, the entire proceedings would result in failure if it were not for the consent of both employers and workers to make an agreement according to the terms of the Court.¹

As might naturally be expected, the President has not been free from political attack, even though occupying a judicial position. More than once he has been forced to reply to hasty and unguarded statements. Upon one occasion an Ex-Minister of New South Wales who was interested in an industry under review, savagely attacked the character of the President under the protection of Parliamentary privileges.² Again, the Prime Minister of the Commonwealth declared that a certain award would sweep away 99 per cent. of the gross receipts of an industry.³ No proof was produced to sustain the charges. The fact that the Court has been able to overcome the obstructions put in its way by the High Court, and to live down the attacks of both political partisans and contesting employers, is the best evidence that its work has

⁹⁸ The American Economic Review, Vol. 3, p. 282.

⁹⁹ 3 C. A. R. 21.

¹ 4 C. A. R. 91.

² 5 C. A. R. 62.

³ 7 C. A. R. 29.

been in a large measure successful. Its decrees have expressed with greater clearness than any other tribunal of the Commonwealth, the ideals of the Australian people in putting upon the statute books the most notable piece of social legislation which has yet been enacted. The philosophy of this experiment as well as that of the Court is excellently summarized by Mr. Justice Higgins in the following statement quoted by Professor Hammond: "I wish it were clearly understood that it is not my function to prescribe to the captains of industry how best to do their business. My function is to secure peace — if possible; and, in order to secure peace, to provide that the employee shall have reasonable return for his labor — above all, sufficient means to meet the primary wants of human life — including opportunities for rest and recreation. A growing sense of the value of human life seems to be at the back of all these methods of regulating labor; a growing conviction that human life is too valuable to be the shuttlecock in the game of money-making and competition; a growing resolve that the injurious strain of the contest — but only so far as it is injurious — shall, so far as possible, be shifted from the human instruments. But, in all other respects, employers are to be left free to use their own judgment and discretion, in their efforts to meet the difficult conditions of modern industry."⁴

⁴ 4 C. A. R. 101.

CHAPTER VI. SUMMARY AND CONCLUSIONS

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I. GENERAL COMPARISONS

In concluding this study of the wage and arbitration legislation of Australasia, it may be well to briefly recapitulate a few of the main facts and to notice some of their more important bearings upon the general subject of the legal minimum wage. The administrative working of the system in force in each state and the social and economic conditions obtaining under it have already been summarized in the discussion of the preceding chapters.

There are three general methods for the establishment of a legal minimum wage, only two of which have been of significant importance. These methods are: first, by the enactment of a statutory rate positively forbidding the payment of a lower wage than that specified; second, by an order of a compulsory arbitration court fixing minimum wage rates and employment conditions for various classes of workers; and lastly, by a determination of a wages board arrived at by a compulsory conference of employers and employees. Aside from these general plans, there is the well known method of conciliation. Industrial agreements arrived at after a voluntary or compulsory conference may be given legal effect if properly sanctioned by those concerned and registered under an arbitration law. But such conciliation is not wage regulation proper.

The first method mentioned was adopted at various periods in the history of the wage legislation of the several countries and was generally intended to put an end to the practice of employers taking on boys and girls under the guise of teaching them a trade and then discharging them at the end of their period of apprenticeship without pay and with little if any trade education. This statutory minimum wage is 2s. 6d. per week in Victoria, 4s. in South Australia and New South Wales, and 5s. per week in New Zealand, Tasmania, and Queensland. In the states last mentioned an increase of two and one-half or three shillings per week must be made each year until a minimum weekly wage of at least 20s. is paid. With some exceptions these laws apply only to factories and

are usually incorporated in separate statutes, quite apart from the main scheme of wage regulation.¹

The minimum wage, as it is known in Australasia, has been fixed either by wages boards or by a compulsory arbitration system with the deciding power lodged in a court consisting of a judge and perhaps a representative of both employers and employees. Each system owes its origin to a radically different motive, the former to the desire to put an end to the worst forms of sweating and underpayment in certain industries, and the latter to the determination to do away with industrial war. In fulfilling its original purpose, the former system has been a success, while the latter has but partially attained its ends. New Zealand in 1894 led the way toward the prevention of strikes and lockouts, and after a few years was followed by New South Wales in 1901 and Western Australia in 1902. The action of these states was inspired by the example of New Zealand, and the statutes passed point to their origin. In 1904 the Commonwealth Act was enacted. It was patterned after the acts previously enacted and was designed to determine disputes extending beyond the boundaries of any one state. Wages board legislation originated in 1896 in Victoria, where some of the worst evils of sweating were uncovered. Moved by the same motive, South Australia in 1900 adopted a similar law which did not become effective until four years later. Queensland followed in 1908, but the general feeling that the time was ripe for such action and the insistence of the trade unionists were quite as responsible for the legislation adopted as conditions of underpayment. Tasmania, the last to fall into line, also desired to maintain fairer wages, and in 1910 followed the example of the Continent by establishing a system of wages boards. All of this legislation was enacted with the support of the working classes, especially in New South Wales and Queensland. But its supporters were not limited to the workers, being drawn from all classes and parties. In Victoria and South Australia anti-sweating leagues were influential in winning support for the proposed measures. But as a class, it may be said that the employers were opposed to, and the workers in favor of the legal regulation of wages and working conditions.

¹ See *The Quarterly Journal of Economics*, Vol. 29, p. 99.

Since its original enactment the law in each state has been amended time and again, and some, such as those in Victoria and New South Wales, have upon several occasions been completely recast. New Zealand and Western Australia abandoned the conciliation boards and have since emphasized conciliation conferences. The Councils of New Zealand do practically the same work as a wages board and dispose of the large majority of disputes without recourse to the arbitration court.² In 1908 an elaborate board system was coupled to the arbitration court of New South Wales. At the same time acts to prevent strikes and lockouts have been adopted in South Australia and Queensland, which will eventually alter materially the character and work of these systems. In every state except Tasmania there is a court of last resort to decide all appeals against the decisions of inferior tribunals and officials. Victoria is now the only state which has no provision against industrial war, and which retains a system of wages boards free from this element of compulsion.

It is evident that there are several points of resemblance between the systems of wages boards and those of compulsory arbitration. (1) A minimum wage for adult workers and a special rate for those less competent is provided for by each method. (2) Each plan has passed through an evolution more or less similar. The minimum rate itself, the permit scheme, provisions for learners, the enforcement of awards and determinations, the penalty for discrimination against those taking part in the proceedings of a court or boards, the repression of strikes and the need for conciliation, all these are problems which have arisen in the course of time under both methods and have been met in much the same way. (3) Under every system except that of the Commonwealth, the main tribunals for the fixing of wages are deliberative bodies, where both employees and employers are represented.

Likewise several points of difference between the two methods of regulation are to be noted. (1) Wages boards as such have no jurisdiction over strikes and lockouts as do the courts of arbitration. (2) The scope of the arbitration courts is wider and their quasi legislative and judicial powers are greater than those of the wages boards. (3) Under the wages board plan there is less

² *Supra*, p. 1977.

interference with individual rights, contracts, and organizations than under compulsory arbitration. (4) The wages board scheme in its purity implies the voluntary submission of the parties with compulsion only after every form of investigation and appeal is exhausted; arbitration relies essentially upon compulsion. (5) The wages boards make no distinction between unionists and non-unionists, but have dealt with men as individuals. Compulsory arbitration depends essentially upon organization, and as unionism has been a most important factor in its administration, preference is frequently given to unionists.³ As it has already been intimated, there is a tendency for each method to gravitate toward the other, and distinctions between the two plans cannot be made as sharply now as they could be several years ago. Without dwelling at further length upon these comparisons, the reader is referred to Appendix III for an outline of the law in force in the several states of Australasia. Both of these methods now comprehend much the same problems and questions, although the compulsory arbitration acts are wider in scope than those establishing wages boards. Admitting all the differences that now exist, there is no doubt but that these two plans of wage regulation are approaching each other in many essential respects.

II. ADMINISTRATION

1. JURISDICTION

Practically every kind of occupation including Government work is regulated under one of the several systems with the possible exception of agriculture and domestic service. These two occupations have not been interfered with in Victoria, and the former was excluded from the operation of the original Queensland act after a strenuous contest.⁴ However, the pastoral industries have been regulated, the organization of shearers being the largest union in Australia. But aside from statutory definition, questions of jurisdiction have arisen mainly under the arbitration acts. In New South Wales the Court was at first used for the adjudication of minor disputes, but this practice was checked by subsequent decisions, one of which declared that the mere claim of a union

³ See A. St. Ledger, *Australian Socialism*, p. 118.

⁴ *Supra*, p. 2188.

would not be recognized by the Court.⁵ To the contrary, it was held in New Zealand that it was unnecessary that a difference should have arrived at an acute stage in order to be recognized as a dispute.⁶ The result of legal decisions in New Zealand has been to make for "the easy creation of disputes," which many have regarded as a weakness of the act. In New South Wales boards are now constituted according to schedule and this matter is no longer one of moment. But it is evident that much time would be saved to parties seeking an award if such schedules were exclusive instead of inclusive.⁷ While other arbitration courts have upon occasion been over-ruled by the higher legal tribunals upon points of law, that of New South Wales has suffered most severely in this respect. Limitations have likewise been imposed upon the Commonwealth Court, which at present cannot decide with finality whether a dispute exists or not, and which may have an award held in abeyance by the mandamus of the High Court.⁸ Yet notwithstanding these difficulties, the jurisdiction of the several acts has not been limited so as to seriously impair their effectiveness. Freedom of reference coupled with the desire to conciliate is the first essential of effective wage legislation.

2. THE REGISTRATION OF UNIONS

The matter of union registration is one affecting only the systems of compulsory arbitration. In New Zealand where the operation of the law is completely dependent upon organization, three employers or fifteen employees may register as a union under the act. A complete code of rules is laid down for the government of these bodies, for the violation of which their registration may be cancelled. In Western Australia trade unions may be registered as industrial unions, but in New South Wales registration as an industrial union of employees is conditioned upon trade union organization. This fact has greatly fostered trade unionism. A matter of considerable importance in this connection has been the restriction of the registration of rival unions. In New South

⁵ *Supra*, p. 2108.

⁶ *Supra*, p. 1980-82.

⁷ *Supra*, p. 2076.

⁸ *Supra*, p. 2209.

Wales there has been much litigation upon this question. It has been decided that two unions representing the same industrial interests in one geographical area may not be registered unless substantial considerations of public policy so demand.⁹ Practically the same limitation has been made in New Zealand with good results.¹⁰ But where it involves the whole question of registration as an industrial or a craft union, the problem is far from settled. In 1911 it was made possible to register a craft union under the Commonwealth Act. At present both kinds of unions may still be registered, but as the tendency toward industrial organization becomes more pronounced, material changes may become necessary. Upon the whole, the registration provisions of the arbitration acts have been quite effective in their working.

3. THE PRINCIPLE OF THE MINIMUM WAGE.

Although the statutes of three states declare that a living wage shall be assured to the worker, these clauses are late attempts to crystallize into law the ideals of the people and do not indicate the real factors involved in fixing the minimum wage. The basis upon which the so-called minimum wage has been fixed varies according to the tribunal making the award or determination. Although it is not easy to make broad distinctions, it should be observed that the rates fixed by the arbitration courts have been grounded upon principles more or less definite, while the rates arrived at by the wages boards have usually been the result of collective bargaining. As an attempt to guide the boards in their deliberations, the "reputable employers'" clause proved a dismal failure, the adopted minimum usually being what the employees could get and the employers would give.

During their early years the several arbitration courts were guided by no definite principles. In New Zealand the Court has avoided as a minimum anything like a sweating rate, and on the other hand has endeavored to establish a fair wage after taking into consideration the cost of living, trade conditions, and the cost of production. The rate fixed conforms in general to the

⁹ *Supra*, p. 2115.

¹⁰ *Supra*, p. 1968.

cost of living, but is often the result of compromise.¹¹ A fair wage has also been emphasized in Western Australia and New South Wales. In the latter state the living wage has recently been ascertained after a thorough investigation, but more than the living wage is paid if the industry can afford it. In the words of Justice Heydon, "the doing of justice should be the direct object of the Court."¹² But as far as definite principles are concerned, the Commonwealth Conciliation and Arbitration Court transcends in importance all other tribunals. It was Mr. Justice Higgins who first declared the basis of a minimum wage to be "the normal needs of the average employee regarded as a human being living in a civilized community." This "irreducible minimum" for the adult man has been interpreted to be a family wage for an unskilled laborer, and following the investigation by Mr. Justice Heydon, has been fixed by one of the most recent awards at 51s. per week. The rate for women is based upon the needs of a single person living alone. The welfare of an industry must yield precedence to the living wage, but the rate for skilled workers may be reduced if the condition of an industry so demands.¹³ Provision is made for irregularity of employment, the traveling expenses of certain classes of workers, hours, holidays, and special industrial conditions. As the purpose of the Court is primarily to secure industrial peace, interstate competition is a question most carefully considered. Yet notwithstanding this fact, the Commonwealth Court in making its awards has adhered more closely to definite principles than any other tribunal.

The influence of the Commonwealth Court has extended to every court and wages board in Australia and also to New Zealand. For several years the wage of 7s. per day for an unskilled laborer was generally regarded as a standard by the courts and boards of Australia, but it was not strictly followed. The minimum wage as fixed by both courts and boards has generally tended to exceed the living wage, and hence it has come to be much the same as a union rate. This fact must be kept clearly in mind when considering the living wage principle as it is known in the United States. Although it is true that the general practice has not conformed

¹¹ *Supra*, p. 2019.

¹² *Supra*, p. 2122.

¹³ *Supra*, p. 2218-19.

to the theory laid down, the value of having definite principles for the determination of wages is unquestionable.

4. PREFERENCE TO UNIONISTS

The doctrine of preference to unionists was first established by Mr. Justice Williams of New Zealand in 1896.¹⁴ In that country preference is given to unionists only when the union is a dominant element in a trade. Various conditions must be fulfilled if such an order is given. Admission to the union must be free, an employment book must be kept, and members must be equally qualified with non-members.¹⁵ These conditions are practically the same in both New South Wales and New Zealand. Preference to employers is also granted. In each of these countries absolute compulsory preference has been demanded by the unionists, and in each state it has been refused. A cogent reason against such action in New South Wales has been the political activity of several unions. The Commonwealth Court has been very cautious in this matter, only granting preference in the most extreme cases to prevent "the bleeding of unionism," while the Court of Western Australia has declined to make such an order. So far as the membership of the unions is concerned, this practice seems to have had no appreciable effect.¹⁶ Nor is there any evidence to show that it has worked any hardship to employers in the administration of business. The fact that so many industrial agreements contain such clauses voluntarily conceded by employers, goes far to weaken the objections to preference sometimes made by members of this class. Unconditional preference has been rightly repudiated as being unjust in principle and involving many potential difficulties. But in fulfilling its function, the protection of the union, the practice of giving conditional preference to unionists has been quite successful.

5. THE COMMON RULE

The extension of an award or determination so as to include all of the establishments in any given industry within a state or locality, otherwise known as the common rule, is a procedure com-

¹⁴ *Supra*, p. 1983.

¹⁵ See *Supra*, p. 1984-5.

¹⁶ *Supra*, p. 2111.

mon to several states in one form or another. It has been employed most frequently in New Zealand and in New South Wales, and in some cases it has been of unquestionable value. But its operation has been attended by more or less difficulty, especially where large establishments have sought to profit at the expense of their smaller rivals. In recent years the common rule has been enacted with caution, the great majority of awards applying either to the metropolitan areas or to the country districts.¹⁷ Although such a rule may be made in South Australia and Western Australia, not a single award is effective throughout these states, largely of course because of their size and the wide disparity in conditions. On the other hand, a small state like Tasmania has fifteen awards which apply to the whole state. Where industrial conditions are fairly constant, the common rule makes for justice and its enforcement is attended by no unusual difficulty.

6. APPRENTICESHIP

In dealing with the subject of apprenticeship, the tribunals of Australasia have been confronted with several difficulties, chief among which has been the universal decline of the system. In New Zealand the unions have been partially successful in limiting the number of apprentices employed. This has also been the case in Australia where the boards and the courts have usually fixed the ratio of apprentices and improvers allowed. Complaints have often been made that such limitation injures business, but the recent Royal Commission of New South Wales was not inclined toward this opinion.¹⁸ The presence of improvers in the various trades has been one of the serious problems confronting the administrators of the law. These workers are often specialized in some minor process and are used by employers to keep down the wages of trained journeymen. This was the case in Victoria during the years when the boards had no power to deal with this question, the situation there being so lax that Mr. Justice Higgins characterized the system as a farce.¹⁹ The awards of the Common-

¹⁷ *Supra*, p. 2113.

¹⁸ *Supra*, p. 2104.

¹⁹ 4 C. A. R., 16, 21.

wealth Court have attempted to eliminate the improver by stipulating that all persons under the age of twenty-one years shall be taught as apprentices, while persons over that age not competent as journeymen shall be employed as slow workers. Although the unsuitability of apprenticeship to modern factory conditions has been the chief reason for the unsatisfactory operation of the wage law provisions respecting it, other factors have also been involved. The variety of definitions and forms of indentures, the laxity of requirements, the reluctance of youths to bind themselves by indentures, and the disinclination of employers to spend their time in teaching a trade, these facts have not conduced to successful administration. Under the early acts of South Australia the system was practically a failure because the employer was not definitely required to teach the apprentice. Technical education is now being recognized as a necessity and many firms are providing for the education of their employees. But as yet there is no established system of industrial education. Taking all factors into consideration, it can hardly be said that as concerns apprenticeship, the operation of the wage laws has been successful.

7. THE PERMIT SYSTEM

The problem of the less competent worker which was not recognized at the outset, has been met by the issue of licenses, entitling the person to whom one is granted to work for a lower rate than the minimum for a certain period of time. Since the granting of these certificates has been entrusted to one definite authority, there has been little cause for complaint. In New Zealand permits are issued mainly by the inspectors and are given only to real incompetents. The lack of a statutory definition of disability is a weakness which has not proved serious because of the commercial prosperity of the state.²⁰ In certain industries of South Australia, Queensland, and Tasmania, there was a rush for permits at first, but after the requests of competent workers had been refused, the situation became normal. In Victoria such licenses have been sparingly granted and the evidence seems to show that the working of the system has been quite satisfactory.²¹ The same is true of

²⁰ *Supra*, p. 2003.

²¹ *Supra*, p. 1934.

New South Wales. It should be remembered that in the main times have been prosperous and that the Old Age Pension scheme has helped to take care of the real incompetents. Yet it must be admitted that the permit system has quite effectively performed the function for which it was created.

8. THE WORK OF THE TRIBUNALS; THEIR COST

For simplicity of procedure and early decisions, the wages boards and conciliation conferences are superior to the arbitration courts. A single court has sufficed for Western Australia and for the Commonwealth system. But in New Zealand the congestion of the old Court of Industrial Arbitration was one fact making for the adoption of the present Conciliation Councils, the work of which is so similar to that of the Victorian wages boards. New South Wales also found a single court system to be inadequate to meet the demands made upon it and adopted industrial boards. Since these boards are a part of a compulsory system, their proceedings have tended toward legality. As the chairmen have usually been lawyers, sessions are often not continuous and there is more or less delay. It may take all the way from a week to a year for the production of an award.²² In Victoria the proceedings are more informal and there is more of the spirit of give and take. None the less, the average time required to make a determination is about three months.²³

As regards cost, wages boards are more inexpensive to the parties concerned than arbitration courts. A criticism sometimes made against the Commonwealth Court is the heavy cost of awards. The boot case of 1909 cost the employers and employees something like £6,000 and a few other awards have been no less expensive. Despite this fact, there has been a tendency in recent years for unionists to seek justice at the hands of the Federal Court, due in part to the reputation of Mr. Justice Higgins. As concerns the cost of administration to the state, the systems of New Zealand, Victoria, and New South Wales rank in an ascending scale, the cost of all features of administration in the state last named being £16,253 for the year 1911-12.²⁴ The cost of the Commonwealth

²² *Supra*, p. 2147.

²³ New South Wales, *Industrial Gazette*, Vol. 4, p. 420.

²⁴ *Supra*, p. 2148.

Court for the same year was £4,047. Complaints are sometimes made concerning the cost of the systems in New South Wales and Tasmania, the figure for the latter state being £2,000 in 1912. It may be that administrative expenses should be reduced, but considering the nature of the work accomplished, it can hardly be claimed that the cost of these tribunals is excessive.

9. ENFORCEMENT

The problem of enforcement like other matters of administration has undergone a gradual process of evolution. In New South Wales and New Zealand the enforcement of the law was at first left to the unions, which in effect is still the practice under the Commonwealth Act. In South Australia the prosecution of breaches was left with the boards. Each of these methods proved unsatisfactory and the duty of seeing that decisions are observed is now laid upon a corps of inspectors. Under this plan, the various laws are better enforced and the percentage of cases dismissed and withdrawn has been greatly reduced. Various forms of evasion have been encountered, such as the repayment to the employer of a part of the weekly wage, contract letting in the boot and clothing trades, and wilful ignorance of determinations on the part of employers. Wages were withheld from the working girls of South Australia, while the restaurants of Queensland charged waitresses exorbitant prices for meals. The subterfuges resorted to by the Chinese worker have been without number. But most of these difficulties have been overcome by efficient inspectors and by a better understanding and appreciation of the law on the part of both employer and worker. In fact, the coöperation of employers has been a most important feature in the enforcement of the law. Yet it must also be admitted that the connivance of employer and employee is almost impossible to circumvent, and that such evasion has not been absent. But speaking generally, the wage laws of Australasia are enforced as well as any other kind of legislation.

10. PREVENTION OF STRIKES AND LOCKOUTS

Although wage legislation is not primarily concerned with the prevention of industrial war, Victoria is now the only state which has not adopted some provision against strikes and lockouts.

Queensland and South Australia have taken the latest measures toward this end. The very fact that such action has been deemed necessary is a confession of weakness in this respect. But taking the history of the wages-board states as a whole, extensive industrial disturbances have been comparatively infrequent during the past few years. In Victoria hardly more than half a dozen strikes have occurred against the determination of a wages board, the most serious of which took place after the Court of Industrial Appeals had lowered the wages fixed by a board. In South Australia there was no repudiation of a determination on account of a strike until 1909. However, since that time there have been a number of outbreaks, the effect of which was to cause a demand for more drastic legislation.

The trend of events has been much the same under compulsory arbitration as under the wages boards. Up to 1905 there were no strikes in New Zealand. Since that time the number has steadily increased until in 1913 there were twenty-three, twenty-one of which were settled in favor of the employers. During the past year occurred one of the most serious upheavals since 1890. Clearly, compulsory arbitration has not done away with strikes. It should be noted, however, that the most serious disturbances have been caused by the miners and transport workers, classes especially averse to compulsory arbitration. It is true that the advocates of Syndicalism have been quite active, and that a number of the larger unions have withdrawn from the authority of the law. While the greater number of unions have remained loyal to their awards, the outlook for compulsory arbitration in New Zealand is admittedly dubious.*

The acts of New South Wales have been more successful in this respect, but strikes have not been prevented. As in New Zealand, the imprisonment of strikers has been abandoned as an impossible penalty. So also the greatest amount of industrial

* A recent abuse of the act by employers is worthy of notice. Employers have lately made a practice of securing the registration of strikebreakers as an industrial union under the Arbitration Act. Such a union may then secure an award binding the entire industry in that locality, including the unregistered employees who may at the time be out on a strike. This practice was the cause of much resentment toward the act at the time of the recent wide spread strikes.

dislocation has been due to the miners, who are responsible for practically eighty per cent of the working time lost.²⁵ In dealing with strikers the Court has recently been forced to be more severe in fixing penalties.²⁶ Yet the great majority of awards are loyally observed. This is also the case in the other states of the Continent. Not a single strike or lockout has so far been declared against an award of the Commonwealth Court, a fact which is partially explained by the custom of Mr. Justice Higgins to secure the promise of the parties to stand by an award if made. But the most potent fact making for industrial peace in recent years is the resort to conciliation. Conciliation has been highly successful in both New Zealand and New South Wales, and Victoria and Tasmania whose wages boards are under the least compulsion, are the only states of Australia which do not have some provision for such measures. It is evident that in agreement rather than in compulsion lies the road to industrial peace. The fundamental weakness of a judge made and commonly accepted standard of wages lies in the fact that if it does not advance in response to the demands of labor, a strong and insistent body of workers is prone to disregard it. It is fair to say that strikes and lockouts have been restricted, but judging from the experience of Australasia, no compulsory measures can prevent them.

III. SOCIAL AND ECONOMIC RESULTS

1. THE ABOLITION OF SWEATING

Sweating was attacked in New Zealand by the labelling of home work, by the operation of awards, and finally by the prohibition of sub-contracting.²⁷ In Australia home work is on the decline, 3,047 such workers being reported in 1911. But sweating, whether identified with home work or meaning starvation wages in factories no longer exists, save perhaps in a few isolated instances. In attaining this end the statutory minimum wage has been of benefit to apprentices and other learners, but the awards and determinations have been of major importance. The abolition of sweating, then, may be taken as the first important result of wage legislation.

²⁵ *Supra*, p. 2131.

²⁶ *Supra*, p. 2135.

²⁷ *Supra*, p. 2020.

2. THE INCREASE OF WAGES

The real effect of legal regulation upon the course of wages is most difficult to discern. Rates, with some exceptions, have usually been advanced by the orders of the wage tribunals. Wages in trades so governed have generally increased during the past decade or more, as have wages in unregulated trades and throughout the world. Women as well as men have benefited thereby. In New South Wales the increase for all ages and both sexes has been about forty per cent since 1906.²⁸ There has been a similar increase in New Zealand, but of late the Court has refused to advance wages as it did during the first few years of its existence.²⁹ In Queensland and South Australia wages have been materially raised in the board trades, the first effective determinations in the latter state coming in during a period of industrial expansion. But it may seriously be questioned whether this increase would not have occurred ultimately, had there been no wage legislation. The use of modern methods of production, the adoption of new processes and inventions, and the specialization of labor are all features of a general movement making for a better organization of industry and a higher industrial efficiency. It is true that in Victoria the increase of average wages for adult males has been greater in the board trades, but it should be remembered that these industries are usually larger and more important than those not under board jurisdiction. It should also be borne in mind that the influences making for industrial efficiency have not been confined to the board trades. Probably one of the most important results of wage determinations has been their influence making for higher standards of efficiency and compensation in the non-board trades. Although a determination may be only a temporary advantage to the worker, it has often been an advantage of the greatest importance in lifting the low paid worker to a position of economic security. In this and other states the benefits of a wage decision to the worker have been most apparent immediately after its enactment. Whether the later progress of wages is accelerated under legislation is well open to doubt. But it can be said that legal action is effective in first giving an impetus to fairer rewards for labor.

²⁸ *Supra*, p. 2088.

²⁹ *Supra*, p. 2050.

3. THE MINIMUM AND THE MAXIMUM WAGE

Although designated as a minimum wage, the rate commonly fixed by the tribunals of Australasia does not conform to this definition. The labor representatives before a board or court do not limit themselves to claims for a living wage, which in most industries has already been exceeded, but strive to secure the highest possible rate. The employers act upon the same principle with the result that the rate fixed is what may be called a "going wage". It is usually the wage actually paid to the largest number of workers and hence is in effect the standard rate. But whether or not this is so depends upon several factors as we have seen.³¹ In Australia generally, it would seem that the effect of wage awards and determinations has been to unduly inflate the pay of unskilled as compared to skilled workers. In so far as this is true, the incentive of the young worker for efficiency is weakened. But this is not saying that the minimum wage is necessarily the maximum. Although statistics as to wage distribution are largely lacking, the weight of opinion is contrary to this supposition.³² In some industries such as the building trade, where contracts are made upon the basis of a legally fixed minimum rate, this rate is frequently the maximum. Yet such instances are in the minority. Employers do not reduce the pay of their most competent workers because they are compelled to pay those less qualified at a minimum rate. But in making any application of the minimum wage principle to American conditions, it should constantly be kept in mind that the Australasian tribunals have not confined themselves to the enactment of a living wage.

4. THE COST OF LIVING

Like the rise in the wage scale, the increase in the cost of living has been a general phase of recent economic history. It is doubtless true that the effect of wage legislation has been to increase the prices of certain articles to the general public. Capitalistic combines have seized upon wage determinations as an excuse for raising prices even beyond the increase in wages.³³ In some cases such increases have followed a genuine rise in the cost of production.

³¹ *Supra*, p. 1900.

³² *Supra*, p. 1901, 2039, 2184, 2192.

³³ *Supra*, p. 2042.

But taking conditions in Australasia as a whole, for the period preceding 1912, there is no evidence to prove that the increase in the cost of living outstripped the rise in wages.³⁴ Allowing for the change in the cost of living, the figures of the Commonwealth Statistician show that in Australia as a whole, effective wages increased almost four per cent. from 1901 to 1911. During the following year this margin was temporarily wiped out and there was a decrease of almost one per cent. in the rate of effective wages for the period of years from 1901 to 1912.³⁵ But this decrease was due to a phenomenal rise in prices and rents which occurred the world over, and cannot be attributed to wage legislation. The effect of wage decisions is not to be minimized, but this is only one of many factors, such as the rise in land values, the tariff, monopolies, and the supply of money. To claim that the increase in the cost of living has been due mainly to wage legislation is no less fallacious, than to argue that the same legislation has been chiefly responsible for the rise in wages.

5. THE LABOR MARKET

A. *The Displacement of Labor*

That workers may be dismissed following the application of wage regulation to an industry, is a fact sustained by the experience of Australasia. In New Zealand many bona fide workers were thrown out of employment during the early years of the arbitration law.³⁶ There was also considerable distress among the boot and clothing workers of Victoria.³⁷ Many of the old, inefficient, and slow workers were discharged. But in each case other factors than labor legislation figured in the situation. We have seen that in the board trades of Victoria there has frequently been a decrease in the number of employees immediately after a determination became effective, but that in almost every instance this decline was only temporary.³⁸ After the period of adjustment, industry pursued its normal course. This seems to have been the general experience in this and other states. This is partially accounted for by the fact that the labor market, especially for skilled workers,

³⁴ *Supra*, p. 1903, 2043-44, 2092-93.

³⁵ Official Year Book of the Commonwealth of Australia, No. 6, p. 1154.

³⁶ *Supra*, p. 2028.

³⁷ *Supra*, p. 1904.

³⁸ *Supra*, p. 1909.

has been quite active in recent years. In New South Wales the shortage of skilled labor has been quite noticeable.³⁹ Although the recent depression has counteracted the demand for labor in New Zealand, the same condition has been prevalent there.⁴⁰ A similar need has been felt in Victoria, South Australia, and Queensland.⁴¹ When the demand for labor is slack, workers are discharged, but this is always the case. It is true that the problem of casual unskilled labor is not absent. But the amount of unemployment in both Australia and New Zealand is much less than it was in 1896.⁴² While the efforts of the state labor bureaus have probably contributed to this situation, it is evident that the employer has not been compelled to permanently curtail his labor force because of wage legislation.

B. Displacement of Men by Women

With the possible exception of New Zealand, the proportion of women employed in the industries of the several states has tended to grow larger during the past few years. The rulings of the wage tribunals have sometimes favored the women at the expense of the men, as for instance the award governing the tailoring trade of New South Wales.⁴³ On the other hand, the principle of "equal pay for equal work" upheld by the Commonwealth Court, has made for fairer competition between men and women. Admitting that women are becoming increasingly important as industrial factors, it should be recognized that they have made the largest gains in textile and other trades in which men are in the minority.⁴⁴ Upon the whole, wage regulation has not meant the displacement of men by women workers.

6. INDUSTRY

A. The Equalization of Competition

As minimum wage standards have prevented the undercutting of wages by the competition of needy employees, so employers have

³⁹ *Supra*, p. 2098-99.

⁴⁰ *Supra*, p. 2030-32.

⁴¹ *Supra*, p. 2100, 2184, 2193.

⁴² *Supra*, p. 2029. Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 13; and the Official Year Book of the Commonwealth of Australia, No. 6, p. 1126.

⁴³ *Supra*, p. 2089.

⁴⁴ *Supra*, p. 1910, 2091.

been prevented from scaling down wages in their effort to attract business from competing firms. In New Zealand many complaints for breaches of the law have come from employers who wished to prohibit their rivals from unfair competition.⁴⁵ In Victoria and the other states of Australia, the tendency has been to drive the sweating and incompetent employer out of business.⁴⁶ As some provision for the extension of awards and determinations is effective in almost every state, the opportunities for unfair competition have been reduced to a minimum. It is clear that one of the results of a legally fixed minimum wage has been to put the unscrupulous employer upon a plane with his more honest competitor.

B. The Cost and Efficiency of Production

It has been seen that the proportion borne by wages to the total cost of production varies considerably, being quite small in the food producing industries and amounting to over fifty per cent in an industry like ship building.⁴⁷ In some trades the raising of wages has increased directly the cost of production and hence the cost of the product to the consuming public. This has been true of the clothing trade, but it must be remembered that the rates paid in this industry were far below normal.⁴⁸ In New Zealand the cost of mining coal was undoubtedly increased by an order compelling the payment of higher wages, but the price to the public was not raised because of the competition for sales. Here another factor must be considered, that of increasing efficiency. It was the opinion of the recent Cost of Living Commission of New Zealand that the conditions imposed by labor legislation had been a factor in stimulating the introduction of up-to-date machinery and improved methods.⁴⁹ In Victoria, several brass, iron, and woodworking establishments installed new machinery about the same time that wage determinations became effective.⁵⁰ The same tendency has been observed in New South Wales.⁵¹ Mr. Gerald Lightfoot,

⁴⁵ *Supra*, p. 2020.

⁴⁶ *Supra*, p. 1922, 2048, 2082.

⁴⁷ *Supra*, p. 2041, 2085.

⁴⁸ *Supra*, p. 1917-19.

⁴⁹ *Supra*, p. 2041.

⁵⁰ *Supra*, p. 1920.

⁵¹ *Supra*, p. 2082.

an Australian barrister, recently read an article upon the effects of wage legislation in Australia before the annual meeting of the British Association for the Advancement of Science held at Melbourne in 1914. He observed that although conclusive data were lacking, there was strong reason to believe that industrial efficiency had been increased by the regulation of wages^{51a}. In an interview with the writer, Prof. R. F. Irvine, head of the Department of Economics of the University of Sydney, expressed a similar opinion. Prof. Irvine stated that the effect of wage legislation in New South Wales was apparently making for the elimination of the incompetent employer. The increasing size of the industrial unit and the larger output per capita employed are facts pointing in the same direction. Whether or not the employee has become more efficient is another matter. Employers generally claim that labor is less efficient than in former times and assert that trade unions are restricting the output by practicing the doctrine of "go easy."⁵² Men now refuse to work at the killing pace formerly set by some employers, but except in isolated cases there is no evidence to sustain this charge. Taking industry in its entirety, the combined efforts of employer and worker seem to be making for industrial efficiency.

Finally, how is the increased cost of wages met by the employer? In some industries where competition is active, the increased charges are taken out of profits. As we have seen, this was the case in the coal industry of New Zealand. In others, the increasing efficiency of production tends to offset the extra expenditure for wages.⁵³ And in still others, the added cost of production is passed on to the consumer in the form of higher prices. Some of these factors have been combined in their operation, but the ultimate difference to the consumer in the case of staple products, the prices of which are fixed in the world's markets, has not been appreciable. In the experience of Australasia, there is no justification for the contention that higher wages necessarily mean higher prices for the finished product.

^{51a} Handbook for Australia, British Association for the Advancement of Science, Melbourne, 1914, p. 477.

⁵² *Supra*, p. 1913-14, 2027, 2083.

⁵³ This point is discussed by Sidney Webb in a comprehensive article entitled, *The Economic Theory of a Legal Minimum Wage*, *The Journal of Political Economy*, University of Chicago Press, Vol. 20, p. 982.

C. The General Effect Upon Industry

There is no real criterion as to the effect of wage regulation upon industrial progress, but it is interesting to observe some of the conditions obtaining in the several states. In New Zealand as in Australia, the boot trade was at first seriously handicapped, but this was due to a combination of factors, including a change in manufacturing processes.⁵⁴ New Zealand has in the main enjoyed an era of commercial prosperity, broken in 1909 by a temporary reaction. During the past year business has been depressed owing to the extensive strikes, but the latest reports indicate signs of recovery.⁵⁵ The trend of commercial enterprise in the Australian states has been quite similar. After the drought preceding the initiation of the arbitration law in New South Wales, almost every form of enterprise took on new life, the production of textiles becoming one of the most important industries in the state. Since 1901 the number of factories and persons employed has almost doubled, while the capital invested and the total annual output have well nigh trebled in value. Although there were some complaints as to the unfavorable effect of determinations upon certain industries in Victoria, these have long been a thing of the past.⁵⁶ It is true that in Western Australia the growth of manufactures has not kept pace with that in other states, and it is possible that certain awards have thwarted the speculative development of mines.⁵⁷ But as a rule such awards have merely accentuated existing conditions. Likewise the industries of Tasmania seem to have made little progress since 1910, but it should be remembered that where wage legislation is adopted, time is usually needed for an adjustment to new conditions. No industry has been driven from any state, and only in exceptional instances has the location of individual factories been changed because of wage regulation.⁵⁸ In South Australia, Queensland, and the Commonwealth as a whole, industry has generally prospered.⁵⁹ There is no evidence to show that the investment of capital in manufacturing enterprise has been checked. But it should ever be remembered that both Australia

⁵⁴ *Supra*, p. 1861, 2022, 2081.

⁵⁵ New Zealand, Annual Report of the Dept. of Labour, 1914, pp. 3, 7.

⁵⁶ *Supra*, p. 1925-28.

⁵⁷ *Supra*, p. 2163.

⁵⁸ *Supra*, p. 2182, 2194.

and New Zealand are largely self contained. The manufactured products of each state are in the main consumed at home. Were the tariff barriers removed and the competition of the outside world encountered, there might be a different story. Nevertheless, periods of depression have not been unknown and the principle of a legal minimum wage has survived. Taking conditions as they are, it cannot be said that wage legislation has tended to destroy industry.

7. THE EFFECT UPON ORGANIZATION

Perhaps there is no country in the world where working men and women are so thoroughly organized as in Australia and New Zealand. This fact is partially explained by the nature of the country and the temper of the people, but the legislation in regard to wages has also been influential. Under the systems of compulsory arbitration, organization has been specially encouraged. The membership of the employees' industrial unions of New Zealand increased from 8,230 in 1896 to 71,544 in 1913.⁶⁰ In this country there has been no impetus to the growth of trade unions as such, their function being generally performed by the industrial unions recognized by the arbitration law. In Western Australia and New South Wales this has not been the case, but in these states trade unions as such may be registered under the arbitration acts. In both of these states trade unionism has been strengthened and consolidated under compulsory arbitration.⁶¹

Theoretically, wages boards are often supposed to weaken organization among the workers. Such, however, is not the case in Australia, where the unions are largely instrumental in nominating board members and in initiating board proceedings. It is true that the position of women in respect to organization is still very weak, due to much the same causes which operate in the United States.⁶² But women, especially in Victoria, are now actively representing their fellow workers as members of wages boards. In Victoria, South Australia, Queensland, and Tasmania, the trade union membership includes a large majority of the industrial classes.⁶³ The wages board law of

⁶⁰ *Supra*, p. 2045.

⁶¹ *Supra*, p. 2093-95, 2166.

⁶² *Supra*, p. 2095.

⁶³ *Supra*, p. 1945, 2186, 2195, 2201.

Queensland is partially due to the insistence of trade unionists upon legal regulation. Taking Australia as a whole, we find that according to Mr. Knibbs, the Commonwealth Statistician, the estimated membership of all unions increased from 54,888 in 1891 to 97,174 in 1901. Wage legislation during this period was at a minimum. But from 1901 to 1912 the number of union members increased from 97,174 to 433,224.⁶⁴ This increase has also been accompanied by the concentration of members into larger unions. Federated unions, encouraged by the Commonwealth Act, are increasing in number. Everything considered, there is no indication that organization among the workers has declined.

But it should not be inferred that the encouragement of organization among the working classes has been of unalloyed benefit to labor. There has been a similar organization of employers into unions and associations, the purpose of which is to resist and thwart the demands of labor. The formation of combines to regulate prices has also been stimulated. Furthermore, it must be said that the workingmen themselves are apt to lose something of the consciousness of class solidarity, of community of interest, of a sense of dependence upon their own economic power, and are inclined to rely upon the legislative efforts of their representatives to secure better conditions. This has been the case in New Zealand, where, in the words of one writer, "the steel has been taken out of the men." Whether or not this is a desirable condition depends upon one's social and economic ideal, but it is a fact to be recognized, and one upon which a well grounded fear is entertained in some circles. Yet notwithstanding these drawbacks, the laborer is better organized than he was before the enactment of wage legislation.

Finally, the regulation of wages by law is no longer regarded as an experiment, but holds an accepted place in the labor legislation of these countries. In New Zealand the arbitration law was advocated by the middle class Liberals and supported by the trade unionists. The situation in Victoria and South Australia was somewhat similar, wages boards being demanded by persons

⁶⁴ Commonwealth Bureau of Census and Statistics, Labour and Industrial Branch, Report No. 2, p. 13.

of the middle class for humanitarian reasons. But the labor interests were more directly responsible for the legislation of Western Australia, New South Wales, Queensland, and the Commonwealth. Initiated for different reasons and at different periods, the wage and arbitration laws of Australasia have had a various yet a similar history. As regards administration, the problems involved in the definition of the minimum wage, in the matter of apprenticeship, in the extension of awards and determinations, in the granting of permits to the less competent workers, and in the actual enforcement of the law — these problems have been much the same and the outcome in each state has been similar. From the economic and social standpoint, positive gains are to be recorded. Home work has been reduced to a minimum and sweating has been definitely abolished. The cost of living has increased with the rise in wages, but this has not necessarily been due to a resulting increase in the cost of production. There is no evidence that the efficiency of production has been diminished, and industry has generally prospered.

As opposed to these facts, the negative aspects of the situation are not to be minimized. Occasionally the wages boards have been dominated by capital, and it is doubtful if discrimination against employees can always be prevented in such cases. Interstate competition has sometimes forced a board to fix an unduly low rate of wages, but the Commonwealth Court has proved itself effective in meeting this difficulty. Following the enactment of wage decisions, some workers have been discharged, but where displacement has occurred the inefficient worker has been the first to go. Strikes and lockouts are still prevalent, but have been restricted. Some of the workers seem to be losing their so-called fighting spirit, but labor is better organized to-day than ever before. The opinions of certain classes have also undergone a change. In New Zealand it was the employers who first opposed the act. After a series of unfavorable awards, it is the employees who are now inclined to regard the acts with distrust. Seven judges have presided over the Court since its creation, and some of them have been severely criticized because of the awards they have made. But notwithstanding, the principle of regulating wages, at least in Australia, is generally sanctioned both by employers and employees. Upon March 31, 1914, 445 awards and agreements

were in force in New Zealand.⁶⁵ One month later there were effective in Australia 575 awards and determinations and 415 industrial agreements. The fact that each law has been amended and redrafted so many times is an eloquent testimonial to the fact that the people of Australia has no desire to return to the old system of unrestricted competition in the purchase of labor. Among the trade unionists the feeling seems to be growing that more can be gained by compulsory arbitration than by wages boards. But whatever differences of opinion may prevail as to methods, it is evident that in Australia, although not in New Zealand, hostility to the principle of regulating wages by law has now died away. Following the legislation for the prevention of accidents, for protection against industrial diseases, for safeguarding sanitation and ventilation, for protection against the dangers of fire, and for the limitation of the hours of labor, the minimum wage is now recognized and accepted as the latest step in the labor legislation of Australasia.

⁶⁵ New Zealand, Annual Report of the Dept. of Labour, 1914, p. 19. Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 68.
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- VI. South Australia.
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 2. Department of Intelligence. Bulletins. Adelaide. 1908-date.
 3. Official Year Book of South Australia. Adelaide. 1912-date.
 4. Parliamentary Debates. House of Assembly and Legislative Council. 1900-date.
 5. Proceedings of Parliament and Papers. 1900-date.
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7. Reports of the Inspectors of Factories. Adelaide. 1900-date.
8. Reports of the Inspectors of Factories Re Sweating in the Clothing Trade. Adelaide. 1903.
9. Report of the Select Committee of the Legislative Council on the Alleged Sweating Evil. Adelaide. 1904. 8 pages. Evidence, 183 pages.
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 - 1904 The Factories Further Amendment Act, No. 872.
 - 1906 The Factories Act Amendment Act, No. 915.
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 - 1908 The Factories Act Amendment Act, No. 961.
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 - 1912 The Industrial Arbitration Act, No. 1110.

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3. Journals and Papers of Parliament. Hobart. 1910-date.
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 - 1910 The Wages Boards Act, No. 62.
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- IX. The Commonwealth of Australia.
 1. Commonwealth Arbitration Reports. Melbourne. 1905-date.
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APPENDIX II
BOARDS AUTHORIZED AND CONSTITUTED, AWARDS, DETERMINATIONS AND AGREEMENTS IN FORCE IN AUSTRALIA, APRIL 30, 1914[§]

| | New South Wales | Victoria | Queens- land | South Australia | West Australia | Tas- mania | Total |
|--|--------------------|----------|-----------------|--------------------|-------------------|---------------|-------|
| 1. Boards authorized, constituted, and in Force | | | | | | | |
| Number of Boards authorised..... | *217 | 137 | 92 | 56 | ..... | 23 | 525 |
| Number of Boards constituted..... | *224 | 132 | 81 | 51 | ..... | 21 | 509 |
| Number of Boards dissolved or superseded†..... | 16 | 1 | ..... | ..... | ..... | ..... | 17 |
| Number of Boards in existence..... | *208 | 131 | 81 | 51 | ..... | 21 | 492 |
| 2. Boards Constituted which have made Awards or Determinations | | | | | | | |
| Number of Boards which had made or varied awards or deter- minations..... | 147 | 127 | 81 | 48 | ..... | 19 | 422 |
| Number of Boards which had not made any award or deter- mination..... | 61 | 4 | ..... | 3 | ..... | 2 | 70 |
| 3. Number of Awards and Determinations in Force‡..... | 260 | 129 | 76 | 54 | 18 | 21 | 575 |
| 4. Scope of State Awards and Determinations | | | | | | | |
| Number applying to the whole State..... | 23 | 6 | 2 | ..... | ..... | 15 | 46 |
| Number applying to Metropolitan area only..... | 68 | ..... | 26 | 54 | 13 | 1 | 162 |
| Number applying to Metropolitan area and country towns..... | 44 | 109 | 4 | ..... | 1 | 5 | 163 |
| Number applying to country areas..... | 125 | 14 | 44 | ..... | 4 | ..... | 187 |
| 5. Number of Commonwealth Awards in Force in each State..... | 10 | 14 | 12 | 13 | 6 | 10 | ..... |
| 6. Industrial Agreements in Force..... | 71 | ..... | 5 | 13 | 93 | ..... | 415 |
| 7. Number of Commonwealth Agreements in Force in each State... | 109 | 108 | 45 | 39 | 33 | 39 | ..... |

* Excluding Special Demarcation Boards.
 † Boards constituted and subsequently dissolved or superseded. In New South Wales 16 Boards were dissolved
 owing to alterations in the constitution of the Board, 1 in Victoria, 1 in Queensland, 1 in South Australia, and 1 in
 Tasmania. In Victoria one Board was superseded by three Boards.
 ‡ In addition, 12 awards in New South Wales, 4 in Victoria, 4 in Queensland, and 1 in South Australia.
 § The figures are exclusive of awards and determinations which had expired by effluxion of time, and had not been renewed on April 30, 1914.
 § Commonwealth Bureau of Census and Statistics, Labour Bulletin, No. 5, p. 67.

APPENDIX III
PROVISIONS CONCERNING THE TRIBUNALS FOR THE REGULATION OF WAGES IN AUSTRALASIA*

| PARTICULARS | New Zealand | New South Wales | Victoria | Queensland | South Australia | Western Australia | Tasmania | Commonwealth |
|---|---|--|--|---|--|--|---|--|
| Name of Acts..... | Industrial Conciliation and Arbitration Acts, 1908 (two), 1910, 1911, 1913. | Industrial Arbitration Act, 1912..... | Factories and Shops Acts, 1912, 1914.... | Industrial Peace Act, 1912..... | The Factories Acts, 1907, 1908, and 1910. Industrial Arbitration Act, 1912. | Industrial Arbitration Act, 1912..... | Wages Boards Acts, 1910, 1911, and 1913... | Conciliation and Arbitration Act, 1904-11. |
| Nature of Tribunals..... | Court of Arbitration. Conciliation Councils. | Court of Industrial Arbitration. Industrial Boards. | Court of Industrial Appeals. Wages Boards. | Industrial Court. Industrial Boards..... | Industrial Court. Wages Boards..... | Arbitration Court..... | Wages Boards..... | Court of Conciliation and Arbitration. |
| How Tribunals are brought into existence.. | Court constituted by the Act. Conciliation Councils by a Conciliation Commissioner constituted by the Act. | Industrial Court (Judge) constituted by Act. Industrial Boards by the Minister on recommendation of Industrial Court. | Court constituted by Order in Council on occasion of appeal from determination. Wages Boards by Governor-in-Council on resolution of Parliament. | Industrial Court constituted by the Act. Industrial Boards by Governor-in-Council on recommendation of Court. | Court constituted by Act of 1912. Wages Boards by the Governor-in-Council. | Constituted by the Act..... | For the clothing trade, by the Act; for other trades, by a resolution of Parliament. | Court constituted by the Act. |
| Scope of Acts..... | To any industry. Includes Government railway servants. | To industrial groups named in Schedule to Act and those added by Proclamation. Includes Government servants. | To any process, trade, business, or occupation specified in a resolution. Government servants are not included. | To callings specified in Schedule to Act, and to those added by Governor-in-Council. | To processes, trades, etc., specified in Act, and such others as may be authorised by Parliament. | All industrial occupations. Includes Government railway, and other public servants with some exceptions. | All trades, or groups, or parts thereof..... | Industrial disputes extending beyond limits of any one State, or in Federal Capital or Northern territories. |
| How a trade is brought under review..... | Court—Reference by Clerk of Awards after failure of a Conciliation Council or on application of an Association where dispute extends beyond one district. Conciliation Council—By application of a Union or individual employer to a Conciliation Commissioner. | Reference by Court or Minister, or by application to the Board by employers or employees. | Usually by petition to the Minister..... | By petitions and representations to Industrial Registrar. | Court—Matters or disputes submitted by Minister, Registrar, employers or employees, or by report of Wages Board. Wages Boards by petitions, etc. | Industrial disputes referred by President or by an Industrial Union or Association. | By application of parties..... | Industrial disputes either certified by Registrar, submitted by organisation, referred by a State Industrial authority, or by President after holding advisory conference. |
| President or chairman of Tribunal..... | Court—A Judge of the Supreme Court. Conciliation Council—A Conciliation Commissioner. | Appointed by Minister on recommendation of Court. | Appointed by Governor-in-Council on nomination of Board, or failing that, on nomination by Minister. | Any person elected by Board. If none elected, appointment is by the Governor-in-Council on recommendation of Court. | Court—President. Wages Board, appointed by Governor on nomination of Board, or failing nomination, a Stipendiary Magistrate. | A Judge of the Supreme Court..... | Any person elected by the Board. If none elected, appointment by the Governor-in-Council. | President, a Justice of the High Court. |
| Number of members of Tribunal..... | Court—Three, including the Judge. Conciliation Council—Not over six in addition to the Commissioner. | Chairman, and two or four other members.. | Not exceeding 11 (including chairman)..... | Not less than 5 nor more than 13 (including chairman). | Court, President only. Wages Board, not less than 5 nor more than 11 (inclusive of chairman). | Three, including President..... | Chairman, and not less than four nor more than ten. | President only. |
| How ordinary members are appointed..... | Court—By the Governor, the Judge directly, and one each on nomination by Unions of employers and workers respectively. Conciliation Council—Commissioner by the Governor, and assessors by the Commissioner on recommendation of Unions of the respective parties to the dispute. | Appointed by Minister on recommendation of Industrial Court. | Nominated by Minister. But if one-fifth of employers or employees object, representatives are elected by them. | By employers and employees respectively.. | By Governor on nomination of employers and employees respectively. | Appointed by Governor, President directly, and one each on recommendation of unions of employers and workers, respectively. | By Governor-in-Council on nomination by employers and employees. | President appointed by Governor-General from Justices of High Court. |
| Principles of Tribunal's Decision as defined by the Acts. | Court shall decide all matters "as in equity and good conscience it thinks fit." | "Equity and good conscience"..... | Court shall not prejudice the progress of industry and shall at the same time secure a living wage to the employees. Boards shall consider nature and requirements of work, etc. | "Equity, good conscience, and the substantial merits of the case." | Court cannot prescribe other than a living wage. "Living wage" means a sum sufficient for the normal and reasonable needs of the average employee living in the locality where the work under consideration is to be done. | Wage must be "sufficient to enable the average worker to whom it applies to live in reasonable comfort, having regard to any domestic obligations to which such average worker would ordinarily be subject." | Wages should be "fair and reasonable," taking into consideration the nature and conditions of work, and the age and sex of the workers. | "Equity, good conscience, and the substantial merits of the case." |
| Provision for sub-normal workers..... | Permits granted by a tribunal prescribed by an award. Usually granted by Inspectors and Trade Union secretaries. | Permits granted by the Registrar who determines the conditions and may cancel them. | Licenses granted by the Chief Inspector for a period of 12 months. Proportion of such licenses limited. | Licenses granted for a period of 12 months by the Registrar, or on appeal, by the Court. Proportion of such licenses limited. | Licenses granted by Chief Inspector for period of 12 months. | Permits granted by a tribunal prescribed by an award. Usually given for period of 6 months by Union Secretary, or on appeal by the nearest magistrate. Proportion of such workers usually limited. | Permits granted by the Chief Inspector, to be in force until revoked. Proportion of such workers limited. | Permits granted by a tribunal prescribed by an award. Matter is often left to a Board of Reference. |
| Provision for learners..... | Court may fix proportionate number of apprentices, their pay, and the form and conditions of indentures. | Boards may fix proportionate number of apprentices and improvers and their pay. Other conditions laid down by the Apprentices Act. | Boards may fix proportionate number of apprentices and improvers, their pay, and the form of indentures. | Awards fix the proportionate number of apprentices and improvers, their pay, and the conditions of work. | Court and Wages Boards may fix proportion of apprentices and improvers, and their pay. Court may make order as to training in technical schools. | Court fixes the proportion of apprentices, their pay, and the conditions of work. | Boards may fix the proportion of apprentices and improvers, their pay, and the conditions of work. | Court fixes the proportion of apprentices, their pay, and the conditions of work. |

*Based upon the table compiled by the Commonwealth Bureau of Census and Statistics. See Labour Bulletin No. 1, p. 58.

1 The Commonwealth Act was also amended during 1914.

DAMAGED PAGE(S)

APPENDIX III — (Continued)

PROVISIONS CONCERNING THE TRIBUNALS FOR THE REGULATION OF WAGES IN AUSTRALASIA

| PARTICULARS | New Zealand | New South Wales | Victoria | Queensland | South Australia | Western Australia | Tasmania | Commonwealth |
|---|---|--|--|---|---|---|--|--|
| Can decision be made a common rule?..... | Yes, by order of the Court upon direct application of any party to an award. | Yes, by order of the Court..... | Governor-in-council may extend a determination to any shire or portion of a shire. | Any Board may be appointed with State wide or limited jurisdiction. On recommendation of Court, Governor-in-Council may extend the area over which an existing Board shall have jurisdiction. | Yes, by order of the Court..... | Award shall be a common rule throughout the State unless limited to a particular area by the Court. | Determination is applicable to the whole State unless limited by the Board. | No (the effect is often secured by voluntary agreement). |
| Can preference to unionists be declared?..... | Yes..... | Yes..... | No..... | No..... | No..... | No..... | No..... | Yes; ordinarily optional, but mandatory if in opinion of Court preference is necessary for maintenance of industrial peace or welfare of society. |
| Duration of decision..... | For period fixed by Tribunal not exceeding 3 years and until superseded by a similar decision. | For period fixed by Tribunal, but not more than 3 years. | Until altered by Board or Court of Industrial Appeals. | Twelve months and thereafter, until altered by Board or Court. | Until altered by Board or by order of Industrial Court. | For period fixed by Court, not exceeding 3 years, or for 1 year and thenceforward from year to year until 30 days' notice be given. | Until altered by Board..... | For period fixed by award, not exceeding 5 years. |
| Appeal against decision..... | Dispute referred to the Court of Arbitration after failure of Conciliation Council. No appeal from decision of Court, but case may be stated for opinion of Court of Appeal. | To Industrial Court against decision of Boards. | To a Court of Industrial Appeals..... | To Industrial Court..... | To Industrial Court..... | No appeal except against imprisonment or a fine exceeding £20. | To Supreme Court..... | No appeal. Case may be stated by President for opinion of High Court. |
| Is suspension of decision possible pending appeal? | No appeal..... | No..... | Yes; for not more than 12 months..... | Yes; for not more than three months..... | Yes..... | No suspension. Court has power to revise an award after the expiration of 12 months from its date. | Yes..... | No appeal. |
| Decisions—how enforced..... | By the Magistrates' Courts and the Court of Arbitration on suit of Union or Inspector of Awards. | By Registrar, Industrial Magistrates, and Inspectors. | By Factories Department in Courts of Petty Sessions. | By Inspectors of Factories and Shops, Department of Labour. | By Factories Department..... | By Arbitration Court on complaint of any party to the award or Registrar, or an Industrial Inspector. | By Factories Department..... | By proceedings instituted by Registrar, or by any organisation affected, or a member thereof. |
| Penalty for violation of decision..... | Not exceeding £100 for each breach by Union, Association or employer; not exceeding £10 for breach by individual worker. | Not exceeding £50 for a breach by any person and not more than 6 months imprisonment for violation of a restraining injunction. | Not more than £10 for first offence, £25 for the second, and £100 and the cancellation of factory registration for the third offence by an employer. | Not more than £500 for an Association, £250 for an employer, and £10 for an employee violating an award. Not over £500 for an Association, or 3 months imprisonment for an individual, violating a restraining injunction of the Court. | Not over £250 for an Association, £100 for an employer, and £10 for an employee violating an award. Not over £250 for an Association, or 3 months imprisonment for an individual, violating a restraining injunction of the Court. £20 for an employer violating a determination. | Not to exceed £500 as fixed by the award of the Court. £100 for the violation of a restraining injunction of the Court. | £20 for paying or receiving less than the rate fixed. | Not to exceed £1,000 for an employer or an organisation, and £10 for an individual member, as fixed by an award of the Court. Court may cancel rights of any person under the Act. £100 or 3 months imprisonment for violation of a restraining injunction of the Court. |
| Penalty for discrimination..... | Not exceeding £25 for dismissing an employee because he represented his Union as an officer or otherwise. Onus of proof on the employer. | Not exceeding £20 for dismissal of employee because a member of a Board or Union. Onus of proof on the employer. | Not exceeding £25 for each employee dismissed because a member of a Board or for giving information to an Inspector. | Not exceeding £50 for dismissing an employee because a member of a Board or for giving evidence, etc.; not exceeding £10 for an employee ceasing work for similar reasons. | Not exceeding £20 for dismissing an employee because a member of an Association or entitled to the benefit of an award, etc.; not exceeding £10 for an employee ceasing work for similar reasons. Onus of proof in each case on the party so acting. | £50 for dismissing an employee because an officer or member of a Union or Association, or entitled to the benefit of an award, etc.; £25 for an employee ceasing work for similar reasons. Onus of proof in each case on the party so acting. | None..... | £50 for dismissing an employee because an officer or member of an organisation or entitled to the benefit of an award; £25 for an employee ceasing work for similar reasons. Onus of proof in each case on the party so acting. |
| Provisions against strikes and lockouts..... | Strikes and lockouts are unlawful if in violation of an award or after the reference of a dispute. Penalty, not exceeding £10 for a worker striking, or £500 for a lockout. For instigating a strike or lockout, not exceeding £10 for a worker, £200 for a Union or employer. In case of certain public utilities, not exceeding £25 for a worker and £500 for an employer if fourteen days notice is not given of the intention to strike or lockout; registration of Union may also be canceled. | Strikes, penalty not exceeding £50 and preference to unionists canceled. Lockouts, penalty not exceeding £1000. | None..... | Penalty not exceeding £50 for strikes and £1,000 for lockouts unless notice of intention is given to Registrar and secret ballot taken in favor. In the case of public utilities, compulsory conference also must have proved abortive. | Penalty not exceeding £500 for an Association or 3 months imprisonment for a person. | Penalty of £100 for an employer or Industrial Union; £10 for other cases. | Penalty of £500 for an organisation, and £20 for an individual, if strike or lockout is against a determination. | Penalty, £1,000. |
| Special provisions for conciliation..... | Voluntary conference called by a Conciliation Commissioner. Special provision in case of disputes in trades not under the Act provided by the Labour Industrial Disputes Investigation Act, 1913. | Special Commissioner and compulsory conference called at his order. Three Conciliation Committees for colliery districts. Registered agreements. | None..... | Compulsory conference; registered agreements. | Compulsory conference; Industrial Court; registered agreements. | Compulsory conference; registered agreements. | None..... | Compulsory conference. Court may temporarily refer any matter to Conciliation Committee. Registered agreements. |
| Is unionism essential to the legal operation of the system? | Yes..... | No..... | No..... | No..... | No..... | Yes..... | No..... | Yes. |

APPENDIX IV

SOME OF THE PRINCIPAL CASES DECIDED BY THE COMMONWEALTH
CONCILIATION AND ARBITRATION COURT.

1. The Merchant Service Guild of Australasia v. The Commonwealth Steamship Owners' Association. 1 C. A. R. 1.
2. The Australian Workers' Union v. The Pastoralists' Federal Council of Australia, etc. 1 C. A. R. 62.
3. Ex parte H. V. McKay. Application made under the Excise Tariff Act, 1906. 2 C. A. R. 1.
4. The Marine Cooks, Bakers, and Butchers' Association of Australia v. The Commonwealth Steamship Owners' Association. 2 C. A. R. 55.
5. The Barrier Branch of the Amalgamated Miners' Association of Broken Hill v. The Broken Hill Proprietary Co. Ltd. 3 C. A. R. 1.
6. The Australian Boot Trade Employees' Federation v. Whybrow & Co., etc. 4 C. A. R. 1.
7. The Federated Marine Stewards and Pantrymen's Association v. The Commonwealth Steamship Owners' Association and Others. 4 C. A. R. 61.
8. The Merchant Service Guild of Australasia v. The Commonwealth Steamship Owners' Association and Others. 4 C. A. R. 89.
9. The Federated Engine-Drivers and Firemen's Association of Australasia v. The Broken Hill Proprietary Co. Ltd. and 116 other respondents. 5 C. A. R. 9.
10. The Australian Workers' Union v. The Pastoralists' Federal Council of Australia, etc. 5 C. A. R. 49.
11. The Federated Seamen's Union of Australia v. The Commonwealth Steamship Owners' Association, etc. 5 C. A. R. 147.
12. The Merchant Service Guild of Australasia v. The Commonwealth Steamship Owners' Association, etc. 6 C. A. R. 6.
13. The Australian Tramway Employees' Association v. The Brisbane Tramways Co. Ltd., etc. 6 C. A. R. 35.
14. The Rural Workers' Union, etc. v. The Mildura Branch of the Australian Dried Fruits Association, etc. 6 C. A. R. 61.

15. The Australian Institute of Marine Engineers v. The Commonwealth Steamship Owners' Association, etc. 6 C. A. R. 95.
16. The Australian Tramway Employees' Association v. Prahran & Malvern Tramways Trust, etc. 6 C. A. R. 130.
17. The Australian Postal Electricians' Union v. The Postmaster-General and The Public Service Commissioner. 7 C. A. R. 5.
18. The Federated Gas Employees' Industrial Union v. The Metropolitan Gas Co., etc. 7 C. A. R. 58.
19. The Merchant Service Guild of Australasia v. Newcastle and Hunter River Steamship Co. Ltd., and 127 Others. 7 C. A. R. 92.
20. The Federated Engine-Drivers and Firemen's Association of Australasia v. The Broken Hill Proprietary Co. Ltd., etc. 7 C. A. R. 132.
21. The Australian Buildings' and Laborers' Federation v. Archer and 569 Others. 7 C. A. R. 210.

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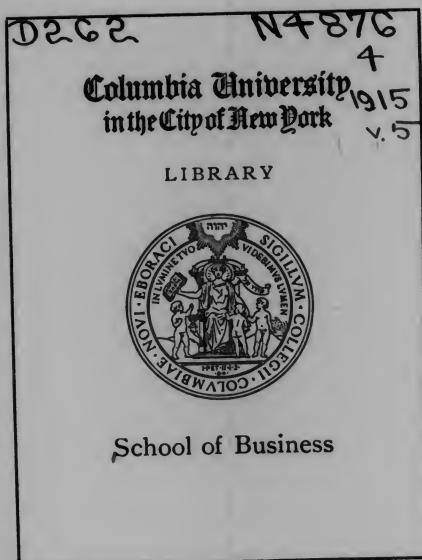
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STATE OF NEW YORK

FOURTH REPORT

OF THE

FACTORY INVESTIGATING COMMISSION

1915

VOLUME V

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NOTE

This volume contains the testimony given at hearings held to consider the subjects of Consolidation of Departments in New York City and Wages and Wage Legislation. At a later date there will be issued, if practicable, volumes containing the rest of the testimony.

[2270]

ALBANY
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STATE OF NEW YORK

No. 43

IN SENATE

FEBRUARY 15, 1915

FOURTH REPORT

OF THE

New York State Factory Investigating Commission

February 15, 1915

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HEARING OF THE STATE FACTORY INVESTIGATING COMMISSION, HELD IN PART
VII, COUNTY COURT HOUSE, NEW
YORK CITY, MAY 18, 1914

Present — HON. ROBERT F. WAGNER, *Chairman*.
HON. CYRUS W. PHILLIPS.
HON. EDWARD D. JACKSON.
HON. SAMUEL GOMPERS.

Appearances — HON. ABRAM I. ELKUS, *Counsel to the Commission*.

BERNARD L. SHIENTAG, Esq., *Assistant Counsel*.

Commissioner GOMPERS: In opening this hearing it is but just to state that we expect in a very few minutes the appearance of Governor Wagner and Commissioner Jackson. They are on the way down here, and they will, on their appearance, take their proper positions, Governor Wagner as Chairman of this Commission. It is with regret that I have to announce that Commissioner Brentano and Commissioner Dreier are both of them quite indisposed and have been so for quite a considerable time. The meeting called for this morning is announced on the leaflet prepared by the attorneys for the Commission and issued by the Chairman, Hon. Robert F. Wagner, to consider to what extent there is a duplication of inspection, of manufacturing and mercantile establishments in New York city, by city and State departments, and what remedies, if any, shall be adopted therefor. Now it is not necessary in opening this discussion that I should more than announce the purpose for which this conference is called, for it is to be more in the nature of a conference than inquisitorial. The Commission wants the best views of those who have had experience in inspection, those who know by observation what remedies can be applied for duplication or perhaps triplication of work which could be performed effectively and effectually by one inspector or perhaps all inspectors under one direction. With this preliminary statement I will ask Hon. Abram I. Elkus,

the counsel to the Committee, and his associate, Mr. Shientag, to present any further matter before this Commission.

Mr. ELKUS: Mr. Chairman, as you have said, this is only a conference or hearing designed for the purpose of considering the matter of duplication of inspection and what can be done to remedy it if it exists. When this Commission had its hearing some years ago this same question came up before any legislation was passed, and almost everybody who appeared before the Commission objected to any division of inspection upon grounds which they stated in their testimony and which appear in the published reports of the Commission. Since the laws have gone into effect I may say, perhaps, that part of this trouble is caused by this, that until these new statutes went into effect, and the Labor Department was properly equipped with the necessary number of inspectors to do this work, there was not as much inspection, perhaps, as there ought to have been, under the then existing laws, but with a re-equipped department, and with enough inspectors to do this work, and the other departments of the city in the same condition, they having been hampered by lack of inspectors, there probably has been in the last few months more inspection than there has been in the preceding years, and I take it from what I understand that perhaps the great number of inspections which have thus taken place may be one of the causes for the agitation.

In the second place, although we have heard a great deal about this duplication of inspections, it was the desire of the Commission to find out how much of it there was, and to get specific instances, so in the statement of this hearing which was issued ten days or two weeks ago the following was contained: "It has frequently been stated that in many instances conflicting orders for the same identical work have been issued by different departments of the city or State." Then we asked that the Commission be furnished specific instances of this so that it could investigate and see where the fault was, and we asked that these instances be sent to the office of the Commission. Now this notice of this hearing containing that request was sent to probably 500 organizations of real estate owners, property owners, manufacturers' associations and others, and they in turn, as we are informed, widely distributed this notice among their members. It was also published in the newspapers and yet I have to say that up to this morning we did not receive one single notice of alleged duplication or of

conflicting orders. I have heard that there was duplication, but I have not received one single complaint or statement that I could take up with the department, which I would like to have done, brought it to their attention and found out who was to blame, if anybody. Now it may be that there is duplication. There must be if there is so much talk about it, but we took every opportunity to get wide-spread publicity for this notice and yet we have had the result which I have stated. Now I want to say this: This hearing today is limited to this one subject. We have invited the heads of the city departments to come, and everybody else who is interested, and that will take up the entire day and probably more than a day. The question of changing the law, the Labor Law and the fire laws, will therefore not be taken up. A recodification of the Labor Law has been prepared by the Commission at great trouble and great labor. It has been changed and amended and rechanged and has been distributed very widely to all people who may have any interest in it, and anybody who wants a copy of it may have it by applying at the office of the Commission or sending a postal card and they will get one, or they may give their name and address here, and as soon as the Legislature adjourns a day or days will be fixed upon which there will be full hearings upon that codification. The Commission invites most careful consideration and criticism, suggestions and discussion of every provision of that recodification of the Labor Law, and if the parties who have any criticisms or suggestions to make will send them in advance to the Commission they will receive most careful consideration and then will be discussed at public hearings where necessary. Now the first witness we will hear today, or rather the first gentleman we will ask to confer with us will be the State Labor Commissioner, Hon. James M. Lynch.

Hon. JAMES M. LYNCH, State Commissioner of Labor, then addressed the Commission:

By Mr. ELKUS:

Q. Commissioner, you are the Commissioner of Labor of the State of New York? A. Yes.

Q. And you have been such since when? A. Since October 23d.

Q. Of last year? A. Of last year.

Q. At the time of your appointment how many inspectors were there in your department? A. Eighty-five.

Q. And since then has the number been increased? A. Very much.

Q. To about how many? A. One hundred and sixty.

Q. And there has been reorganized within your department under the law a number of new divisions? A. Yes, sir.

Q. Will you state, briefly, in your own way, how the reorganized department has been extended under the operation of the new law? A. We have added one new division, the Division of Industrial Hygiene, and we have strengthened the inspection service in the First District and Second District, and we have strengthened the department all along the line by the addition of necessary clerks and other facilities to bring the department up to what it was intended to be under the new laws.

Q. And will you be kind enough to state how many inspections have been made since your department has been in operation under the new law? A. During March and April, 1913, there were 19,905 inspections made, and 13,497 compliance visits. During March and April, 1914, there were 18,358 inspections and 35,201 compliance visits, a total number of visits for these two months in 1913 of 33,402 as against 53,559 for the same months in 1914.

Q. And how many had you made before? A. Well, not half that number.

Q. So that you have just about doubled the inspections? A. Just about doubled the inspection work.

Q. Now you have read this statement of the purpose of this hearing today and the questions to be asked, and without asking questions in detail now of you, I would be very glad and the Commission would be very glad to have you state your views upon this entire subject. A. I set my position forth in the letter to you that I believe you have and I think perhaps my position is as clearly stated there as it is possible to express it.

Q. In your letter to me, Commissioner, you stated that you were opposed, as I understand you, to any division of the Department of Labor for the city and the State? A. Yes, sir.

Q. That is, you were opposed to a division, making two departments, one for the city of New York and one for the State of New York? A. Yes, sir.

Q. And are you also opposed to a separate bureau of inspection apart from your department? A. Yes, sir.

Q. Now, will you give your reasons in your own way for your decision on this matter; I think I ought to ask you Commissioner whether you have studied these propositions very carefully since you have been in the department and before? A. Yes, I have given them considerable attention. The first question is, should there be a separate department for New York city, separate Labor Department, and to that I am opposed. In my letter to you I said the Department of Labor for the State of New York is at present working in harmony, and the plans I have under way, if perfected, will, I believe, give a reasonable degree of satisfaction to the people of the State. To divide the jurisdiction of the department and establish a department in New York city, having control, in the greater city, would, in my estimation, be detrimental to the interest of the wage earners of the State. It would result in confusion and dissatisfaction and the weakening of the principle upon which the department is founded. I might add to that in my opinion there would be just as much reason for the establishment of a department of labor for the city of Buffalo, and another department of labor for the city of Rochester, having three separate departments of labor for the three first class cities, and a department of labor for the rest of the State. I do not think that the problems in the Greater City are any different from the problems that we meet throughout the entire State. We have had, since I have been Commissioner, several meetings in New York city of the supervising inspectors, the supervising inspectors who are located here and the supervising inspectors located in Albany, Utica, Rochester and Buffalo, and I have found that their problems are the same and that by conference they have been able to reach an understanding as to the proper method of handling these matters, and from my six months' experience in this Department, and from my general experience as an official of a trades union, I am satisfied that to divide this department would weaken it, would result in one policy in New York City and another policy throughout the State; would engender dissatisfaction on the part of the wage earners in New York and the wage earners throughout the State and also the employers.

Q. Mr. Lynch, with reference to a bureau, the sole purpose of which would be to make inspections for different departments of the city and the State, you say you are opposed to that? A. Yes, sir.

Q. Will you give your reasons for that? A. Labor Department inspectors make sympathetic inspections. That is their business. To understand the Labor Law and to understand the conditions as they exist in factories and mercantile establishments over which they have jurisdiction, they are trained for that work and they bring to it, as I say, a sympathetic consideration and because of that condition of their minds we get the best results. I do not think we would have that through a common bureau of inspection. It seems to me it would be a case of what would be everybody's business would be nobody's business — a common bureau of inspection.

Q. In your letter, Commissioner, you say that you would be in favor of a Permanent Conference Board of those at the head of the city and State Departments the object of which would be to reduce under a working agreement the multiplicity of inspections so far as that is possible and desirable and to prevent the issuance of conflicting orders against the same premises? A. I can see no objection to that. I think that would probably be a good thing if the plan was outlined and it was made a legal proposition, a law proposition, with the proper machinery to carry into effect the object for which it was constituted, but I think the plans should be drawn up very carefully, and there should be, if possible, agreement between the State and city departments as to how it should be conducted. I would oppose any plan of any kind that would in any way weaken the power and the authority and the influence of the State Labor Department, because, in my opinion, the only way that the workers will get any protection or have protection is through the State Labor Department. It is because in my estimation, also, I may add here, that they are getting that in some degree of proper measure at this time, that so much opposition has sprung up against the Labor Law.

Q. Now is there anything further, Commissioner, you would like to say upon these subjects? A. I don't know as there is anything I can add.

Q. In your letter you say to me you are working in harmony with the city departments? A. I say the Labor Department is working in harmony, that is the up-State supervising districts and the New York City supervising districts are now working in complete harmony. The supervising inspectors, as I explained before, meet here every month and go over the problems they are confronted with in different sections of the State and find out the best way from the experience of the inspectors how to handle those problems. We of course, want to work in harmony with the city department.

Q. You believe a plan of conference of this kind would do away with any friction or multiplicity of inspections or unnecessary inspections that are now made? A. If it is constituted along the lines that I explained in answer to your previous question, always keeping in mind the importance of the State Labor Department and the reason why that department is in existence — for the protection of the wage earners.

Q. Now is there anything further that you wish to say, Commissioner? A. I think not.

Mr. ELKUS: Mr. Chairman, do you wish to ask any questions?

By Commissioner PHILLIPS:

Q. Have any complaints been made to your department? A. No specific complaint that I can remember at this time. We have heard assertions and rumors that conflicting orders are issued but when we trace down the assertion or rumor we generally find it is because some owner does not want to make the change or because some interested party is objecting to the order which has been issued. It is not a question of conflicting orders in my opinion, that causes the trouble; it is the proposition that the owners and employers do not want to comply with the order that causes the trouble.

By the CHAIRMAN (Lt.-Gov. WAGNER):

Q. Commissioner, have you had many instances in your experience where there was — and this question I base upon rumor too — where there has been an order issued by the Labor Department for a fire escape in a certain factory to be constructed in a certain way and then that the State Fire Marshal would order an

entirely different kind of fire escape A. I do not know of a single instance of that kind since I have been the Commissioner of Labor where there has been any conflict between the State Labor Commissioner's office and the State Fire Marshal's office. That would be up the State if at all.

Q. I appreciate that? A. I do not know of a single conflict between the two offices.

Q. If there was this conflict it would certainly come to your attention? A. Yes, sir, I think it would.

By Commissioner GOMPERS:

Q. Mr. Commissioner, we have read in the newspapers and we have heard it elsewhere from other sources, that in consequence of the constructive and protective labor legislation within the past few years in the State of New York that manufacturers have moved out of the State of New York into some other state where the laws are not so exacting, alleged to be exacting, and have moved because of endeavoring to get from under the provisions of the laws of the State of New York; do you know of any such factories that have moved out of the State? A. No, sir, I do not — not for the reason that you assign in your question. I have heard rumors that factories have moved out of the State for the reasons that you assign, but I do not know of any instance where a factory has moved out because of the operation of the factory law. In my experience this has always been true, that the larger employers of labor are perfectly willing and anxious to co-operate with the department in putting into effect the orders that we issue, where we point out that the machinery is not guarded, sanitary conditions are not just as they should be, and that there is not a sufficient amount of protection from fire.

They are perfectly willing and anxious to do the things that should be done in order to make every factory safe, and it would seem to me that if the State was losing any manufacturers it would be manufacturers who employ a considerable number of work people whom it would pay to move out of the State in order to escape the operation of the law.

Q. Do you know of any factories which have moved out of the State at all, assigning the reasons which I have mentioned. A. I do not.

By Mr. ELKUS:

Q. Commissioner Lynch, I want to ask you this question while you are here: A great many of the amendments to the Labor Law with reference to improving the sanitary conditions in building in which manufacturing is carried on — have you heard from the employers throughout the State complaints with reference to those laws or are they now practically satisfied with them; do they find them of real benefit? A. As you perhaps know, the sanitary code is now in process of making by the Industrial Board. The Industrial Board has given hearings here and in Albany and in Buffalo, attended by large numbers of manufacturers who have criticised the proposed sanitary regulations, and have also offered suggestions, and where in the opinion of the Industrial Board those suggestions are well founded they will be worked into the law. Now prior to these hearings we have had very little complaint, and in fact no complaint at all against the sanitary orders that we issue. We do have some objections from the smaller manufacturer at times, but when we trace it down it is usually an objection from the owner to making these changes, but they are generally made, and that is the last we hear of it.

Q. And these laws that have been enacted, are they going to be for the benefit of the manufacturer and employee alike? A. I think that if the recodification of the Labor Law is adopted, and it is made as clear as it is made in that recodification it is going to give general satisfaction to the employers and employees throughout the State.

Mr. ELKUS: Are there any further questions; does anyone desire to ask Mr. Lynch any questions.

Mr. LYNCH: Owing to the added duties of field inspectors as embodied in the laws of 1913, and made effective by the reorganized Department of Labor, it is almost impossible to make comparisons by figures with the work of the 85 inspectors, as in May, 1914, there were 160 inspectors in the Department.

During March and April, 1913, there were 19,905 inspections made, and 13,497 compliance visits. During March and April, 1914, there were 18,358 inspections and 35,201 compliance visits, a total number of visits for these two months in 1913 of 33,403 as

against 53,559 for the same months in 1914. The significance of compliance visits should be borne in mind, as from these visits the record of the actual results accomplished is eventually made. Our statistical statement for April will give a good general idea of the activities of the reorganized department.

Orders affecting over 100,000 factory workers, which were issued by the Department of Labor during the month of April, were carried out in a way that indicates the desire of the manufacturers to co-operate with the Department in bettering conditions in shop and factory.

The whole number of inspections of factories made by the Labor Department during April was 5,872. Besides this there were 3,435 inspections of mercantile establishments, 2,095 inspections of tenements, 8 inspections of mines and quarries, and 3 inspections of railroads, making a grand total for the month of 11,419.

On these inspections there were issued 22,335 orders and at the end of the month there had been compliances in 20,803 cases. In many cases the orders were issued so late in the month that compliance could not be made during April.

Our April report shows that the Department has continued to bend its energies toward the conservation of human life. This is evidenced in the fact that of the whole number of orders that were issued, there were 7,397 that had to do with fire prevention, 5,868 that related to accident prevention and 5,047 were orders for better sanitary conditions. Of the orders that the Department issued in connection with improving fire protection, nearly 2,600 demanded structural changes in buildings. Of the whole number of orders issued, 14,712 were in New York City and the rest up the State. Of the compliances, there were 15,921 to the credit of New York City and the balance up the State. In the second inspection district, which includes all of the up State, there were approximately 600 orders complied with at the time they were issued.

The statement shows that the inspectors visited 1,015 factories occupying whole buildings, 666 tenant factories, 338 bakeries. The number of people who were affected by the inspections and orders was 113,511, of which 61,590 were in New York City.

Besides the original inspections, the Department inspectors made 16,248 visits to see that the orders issued were complied with.

The Department's legal force brought 172 prosecutions in cases where orders had not been carried out. Eighty of these were against factories and 92 mercantile establishments; 6 were against factory owners who did not carry out orders on sanitation; 8 against those who failed to comply with orders on accident prevention, and 20 against factory owners who failed to comply with orders on fire protection. Prosecutions were brought against 16 factory owners who failed to comply with orders relating to children and 24 were prosecuted because of failure to carry out orders that had to do with women. There were 67 prosecutions against owners of mercantile establishments who neglected to carry out orders relating to children.

Besides all of these prosecutions, the Department stopped work in 41 cases where the factories were unclean and in one unclean bakery. Work was stopped in 2 cases because of dangerous machinery, and in 3 cases because of the use of scaffolding not properly protected. There were 50 cases where the inspectors tagged goods in tenement houses.

The Bureau of Industries and Immigration made 364 inspections, which included one labor camp, 59 employment agencies, 117 immigrant lodging houses and 26 philanthropic societies which secure employment for aliens. This bureau licenses 5 immigrant lodging houses and sent 1,210 alien children to the school authorities.

The homework inspection division received 364 applications for tenement licenses and granted 299. There were 357 licenses canceled and one revoked for unlawful conditions, a net decrease in the outstanding licenses of 50 for the month.

JAMES T. HOILE, addressed the Commission.

By Mr. ELKUS:

Q. Will you state for the record your name and whom you represent? A. I am the secretary of the Manufacturers Association of New York. I reside at 393 Hancock street, Brooklyn.

Q. How many members are there in your association, approximately? A. Probably five, six, seven hundred or more.

Q. Now you want to address the Commission upon this subject?

A. Well, I have no special desire to address the Commission beyond referring to a few general facts which I believe are conceded by most manufacturers and business men.

Q. We are taking up this one subject today of the duplication of inspection? A. The one subject,— yes, sir,— if I am correctly advised by newspaper report and by inspection of public documents, I say that if from observation, newspaper report and public documents there is any reliability in these sources of information we are abundantly supplied with inspections. If we take a building from its inception, if you please, or the beginning of its construction, from the digging of the cellar to the putting on of the roof, and its occupancy, there are at least fifteen different departments or bureaus that have something to say with regard to how that building shall be built, how it shall be operated and who shall occupy it. Now if there is any doubt about these buildings being subject to these eight, ten, twelve or fifteen departments or bureaus why it is a matter of record that the Commission can very easily learn for themselves.

Q. Now assuming what you say is true, that in erecting a new building and also in maintaining it, it requires more than one inspection what is your remedy; we want to get a remedy? A. Well, if I had my way about it I would have one law that would cover this whole business and I would not have inspectors tumbling over themselves inspecting buildings.

Q. Do you mean one department taking charge of the inspection? A. Yes. I would have as many inspectors as are absolutely necessary and not one more and comply with every condition of the law. It is a question of fitting conditions to the law.

Q. Your statements are too general; we want some concrete proposition; would you abolish the building department; would you abolish the fire department; would you abolish the health department, or would you consolidate them; give us some concrete facts. A. For that we have Senators and Assemblymen who make our laws.

By Commissioner GOMPERS:

Q. The Senators and members of the Legislature are simply ordinary men, ordinary citizens, and this Commission was created

for the purpose of ascertaining the views of the employers and the views of the workmen and the views of business men so that some legislation may be proposed of an effective character? A. Well, is it necessary, Mr. Gompers, to have a specialist to know how many cubic or square feet of breathing space there is in a room? Should a man be especially fitted to make that inspection? Should a man be specially fitted to say whether a buzz saw should be covered or not? I believe that it is possible to take the laws as they exist and reduce this multiplicity of inspection. There is no argument — you don't question that there is a multiplicity of inspection, do you — do you contend that?

Q. I am not making the argument. A. That is all we are here for. We are here to show you we are legislated to death, first an inspection of this kind and then of another kind.

By Mr. ELKUS:

Q. Can you give us any specific instances where there have been contrary orders given by different departments? A. Is that the purpose of this meeting?

Q. Yes. A. The purpose of this meeting was stated by you in your first question.

Q. Don't let's waste time arguing what the purpose of this meeting is; can you give any instance of conflicting orders by the departments? A. I can put a man on the stand here, the Commissioner of Buildings, who will give them to you. (Indicating Mr. P. J. Carlin).

Q. Can you give them? A. No, sir.

Q. Now have you given us all the ideas and suggestions that you have? A. No I have not.

Q. Go ahead then. A. I want to ask you or any of the Commissioners if there is any doubt about multiplicity of inspections?

Q. I do not know that we are here to answer questions. A. I am here to make that assertion.

Q. I would like to get some facts from you; it is easy enough to make assertions. A. That is the fact we are here to prove.

By Commissioner GOMPERS:

Q. Statements have been made that there is such duplication?
A. Yes.

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Q. I would like to get some facts from you; it is easy enough to make assertions. A. That is the fact we are here to prove.

By Commissioner GOMPERS:

Q. Statements have been made that there is such duplication?
A. Yes.

Q. Now the mere repetition of that statement proves nothing; what we ask from you is can you give us specific instances in which such duplication has occurred? A. I say this, that in each and every case it has been carefully provided for by legislation, that all this duplication is legal. It is a law. We are compelled, the owners of buildings are compelled, to comply with the laws.

By Mr. ELKUS:

Q. What we would like to get is some real suggestion as to how to remedy it? A. Wipe about ninety per cent of it out.

Q. Which ones would you wipe out; what do you say should be wiped out? A. I say it should be put under——

Q. Which ones? A. Which ones? I don't know that any of the features that are provided for by law should not be carried out, but I would take the contract of doing all the inspection for twenty-five per cent of what it is costing the State of New York to-day. Seventy-five per cent you can wipe out easy.

By the CHAIRMAN:

Q. Are you in favor of any inspection at all? A. Certainly, absolutely.

By Commissioner GOMPERS:

Q. What kind of inspection? A. Proper inspection. I wouldn't send a girl into a factory, as they have been sending them in Brooklyn lately, to go around among machinery and tell men what should be done. I would put a man there to tell what should be done.

By the CHAIRMAN:

Q. Are you sure that the girl didn't know? A. According to the inference in the department, the head of a department, she did not.

By Mr. ELKUS:

Q. Which head of a department told you that? A. Didn't tell me that but one of our Brooklyn manufacturers who is doing everything possible——

Q. Which head of a department told you that? A. The head of a department in New York City.

Q. Which one was it, the Labor Department? A. I don't know which one. It was up in Madison Square.

Q. The head of that department we have just had on the stand? A. This party told me this alleged fact. I can give you the name of the man if you would like to have the man.

By Commissioner PHILLIPS:

Q. In the case of a large manufacturing concern with a diversified line of work do they not have specialists in the various departments? A. If they have a large manufacturing plant with a variety of products they probably would have specialists with different lines.

Q. The same as we are doing for the State? A. In the same way that department stores are being run at comparatively less expense than a large number of small stores can be conducted for.

By Mr. ELKUS:

Q. Are you a manufacturer? A. I have been. I am a retired manufacturer.

HON. HENRY BRUÈRE (City Chamberlain of the city of New York) addressed the Commission:

By Mr. ELKUS:

Q. Mr. Bruère, what official position do you hold in the city government? A. I am city chamberlain.

Q. And prior to your being city chamberlain you were engaged in what occupation? A. Director of the Bureau of Municipal Research.

Q. And have you given considerable study and thought to this question of inspection that we are investigating to-day? A. I remember, Mr. Elkus, that I was before your Commission when it was considering the codification of the Labor Law, Factory Law, and then we discussed the possibility of consolidating some of these different branches of inspection, and it was then apparent, I think, that there would be a considerable amount of inspection of a single premises. It did not seem clear at that time that it would be desirable to consolidate these various inspection boards. Recently, at the request of the Mayor,

I have taken up again the problem of duplication of inspection services in New York. The Borough President, as you know, in the borough of Manhattan has called attention to some duplications and states that there is a good deal of irritation on the part of those who are subjected to it. The Mayor feels, I believe, that very careful consideration should be given to the possibilities of consolidating these inspection processes, and we are now studying the present conditions in New York city. If I may say a word, it seems to me that the problem is not so simple as it appears. I somewhat sympathize with the — if I may so characterize it — the helplessness of the last witness. It is hardly fair to ask him to diagnose the difficulty and point out a remedy here. We know there is duplication of inspections. Now the question is, is it wise to attempt consolidation? We all know the various inspections to which a single building is subjected. It seems to me the problem is this: Can we get the character of service we want by centralizing the whole inspection service? Is the problem one of conflict between jurisdictions or conflicts in orders issued? If you consolidated all these various authorities and had an inspection board for fire tenements and buildings, water inspection for the protection of the city in respect of water, and electrical inspections, etc., would it then be possible to have a single inspector go through the building or would five or six inspectors still be necessary? Do you require specialists, and if it is necessary to have specialists, to go through the building looking for these different things, would the fact that you have consolidated jurisdiction lead to less friction or less annoyance and equal efficiency.

Q. Isn't the trouble really complained of this, that the orders required by the inspectors to be carried out are issued at different times; I am just asking for information; it isn't so much that the inspections are made by different inspectors at different times but that a property owner or manufacturer gets an order one day and he complies with that order and on some other day he gets an order to do something else, not the same thing but another thing, and that goes on until we feel that he is very much to be sympathized with? A. I imagine that condition does exist but it has not come forward in the form of concrete complaints. The various

inspection services may have knowledge of specific instances of that kind. For instance, Mr. Adamson and Mr. Hammitt may have encountered instances of that kind, but it is unquestionably true and cannot be ignored that we have various lines of inspections or inspectors being sent into a building to accomplish the same result and I cannot help but feel that the owner of a building must feel a considerable amount of irritation. Now the question is, can you accomplish what is desired to be accomplished by centralizing the inspection forces or centralizing jurisdictions? The answer to those questions is the purpose of our present study. I think it is fair to bear in mind before any conclusion is reached that you cannot get an improvement of these specific conditions unless you specialize attention upon them. I assume that is why special attention is given to tenement house conditions. A question has been recently raised whether or not it is feasible to consolidate the examination of plans and inspection of buildings in process of construction in respect to tenement houses, with the work now done by the Bureau of Buildings in the various boroughs. Those who are specially interested in tenement house control raise the point that there may be a lack of emphasis upon the special conditions prevailing in respect to tenement houses, and that seems to me to be the condition existing in every one of these fields of inspection service. We have formulated tentatively a plan for consolidating the jurisdiction over buildings including inspections by the bureau of buildings.

Q. Into one department? A. Into one department. It looks very cumbersome. At first blush it seems to me that you would lose the necessary emphasis that must be given to these special conditions, otherwise we won't get the improvement in conditions we are looking for. The other proposition which has been crudely formulated (and I would be very glad to submit to your Commission such data as we have and to keep in touch with you), is to retain the present jurisdiction over conditions, the present administrative arrangement and responsibility, but to consolidate inspection work, in a measure, having a single inspection department ascertain the facts upon which the administrative orders are issued.

By the CHAIRMAN:

Q. You say the city administration has that under consideration now? A. Yes, these two plans have been carefully formulated in the study we are now making.

Q. Does that take the inspectors in the Building Department? A. I want to be clear that it is entirely tentative because I do not believe that you can reach a sound conclusion on any of these points unless you go thoroughly into the work done by the divisions and get the point of view of the different members of the community who are specially interested in these classes of inspection.

Q. I did not know but what you had gone that far, and we would like to get the result? A. Here is the rough outline. The idea is that it is possible to conceive of a department having jurisdiction over these matters,—over the work now done by the Bureau of Buildings in the five boroughs, the work of the Tenement House Department, the work of the Fire Department in reference to fire prevention, the Department of Water Supply in reference to the supervision of electrical installations, the Police Department in reference to the supervision and construction of exits and inspection of boilers, the provision for exits in theatres, the Health Department as to light and sanitation, the Department of Licenses in respect of area and ventilation requirements in moving picture theatres, and the State Labor Department in respect of the physical structure of the building itself and sanitary conditions. Now, it is conceivable that you could have a department for all of these things broadly enough organized, with competent supervision, but it seems to me at this stage that we would run the risk of losing emphasis, having some of the work slighted. Now for this same group of activities of which I think, so far as I now recall, my description is comprehensive, it has been suggested that possibly you might have one inspection service. It seems to me that those two alternatives should receive very careful consideration. Either they are wholly possible or they are possible in part.

By Mr. ELKUS:

Q. Have you considered this question which was raised before when we discussed this matter—that the inspection department ought to be connected with the department which enforces the

result of the inspection and that if you have the two separate, there never will be any practical harmony or practical working? A. I think that is a very practical question. If the inspection force is separated it removes the administrative organization from responsibility, from interest. I say it is conceivable that you would have a well organized inspection department and then have it subject to the superior administrative control.

By the CHAIRMAN:

Q. If the matter were put right up to you now, Mr. Bruère, would you favor the consolidation of all these departments in one inspection department or leave them as they are now? A. I would not be in favor of starting out with complete consolidation. I would be in favor of eliminating some of the illogical conditions which I think have arisen because one thing has been taken up after another.

By Mr. ELKUS:

Q. Mr. Robert W. DeForest, you know, of course? A. Yes.

Q. He wrote in reference to this matter. He said "the Bureau of Inspection, such as is suggested in this question should emphatically not be established. The duty of inspection and the duty of enforcing the results of inspection should not be separated;" do I understand that you agree with him? A. I think I do. My conclusions are not final because as I say I believe this whole question ought now to be thoroughly gone into and everyone who has information regarding it and who is interested should be consulted.

Q. While we are discussing this matter, may I make this suggestion for your consideration: would it be possible and practicable to make the Bureau of Buildings, for instance, the Department of Buildings, and make that a bureau of the Fire Department and thus do away with a number of inspections by different inspectors there; in other words the Bureau of Buildings has charge now of passing upon the plans for the erection of buildings and alterations of buildings, and they have to have their inspectors for that purpose; the plans or most plans for buildings, have to go then to the Fire Department to be approved by them to cover the particular statutes in reference to buildings as to the fire

hazard; then the Fire Department inspects them through its bureau of fire prevention, or otherwise, inspects the various buildings from time to time, but an owner can not alter a building without going to the Department of Building and then back to the Fire Department again. Now would it be practicable to make the Bureau of Buildings a branch of the Fire Department and thus do away with the multiplicity of inspections? A. Your question hints at a quite different department than the present Fire Department, perhaps it will come to such a point that we won't have fires and it will all be fire prevention. Off hand I hardly think it feasible to do that now. I would be tempted to go the other way.

By the CHAIRMAN:

Q. You mean you would take the Fire Prevention Bureau away from the Fire Department and put it in the Building Department? A. It seems more logical. Let me have that clear. I was tempted to believe that we are coming to the time when all fire work will be largely limited to fire prevention work, that that will take the place of much of the work now being done by the Fire Department.

By Mr. ELKUS:

Q. There are now as I understand thirty-one departments of the city government or about that number. Am I right about that? A. About thirty-one. Some are Boards.

Q. Now is it possible by consolidating any of these departments to do away with any of this duplication — I do not think there is so much of that as multiplicity of inspection — isn't that the real remedy by consolidating or abolishing departments? A. Well, it isn't the remedy so much because after all when you get a department consolidated you get various subdivisions and you may have orders emanating from bureaus, lying all over the desk of the head of the bureau, who has so many things to attend to that they may be neglected. I do not think that is the solution. I think it is possible to have those processes performed simultaneously. I state no conclusion regarding it, but the question involves consideration of the problem as to whether or not it should not be possible for the men who examine the plans

for the Bureau of Buildings and all that involves, at the same time to examine them with reference to the Water Department, to the fire prevention work and Tenement House Department. It should be possible to get plan examiners to do that work. I think that should be discussed. For instance, Mr. Lawrence Veiller would have definite ideas as to whether or not it is desirable to bring about these consolidations. As an administrative proposition it seems to me sound off-hand. If that were done there should be a great deal less irritation.

Q. That could be done by the city? A. That could be done, I suppose, by statutory changes.

Q. Do you require legislation to do that or can it be done under the home rule bill? A. There is no such thing.

Q. Can it be done by the Board of Aldermen? A. Anything can be done by the Board of Aldermen but it can be effected by the Legislature.

Q. Now are you in favor of anything along the lines of the seventh question which is outlined today — "Shall there be a permanent conference board of the heads of City and State departments making inspections of buildings in New York City, etc.?" A. I think, Mr. Elkus, there should be a conference now. I believe it is unwise for any of us to state conclusions regarding this matter. I am no more able to state a conclusion than you are, I assume. I do think we should consider it. I believe we should now have a conference to find out whether there is the possibility of this consolidation we have been talking of, and whether or not there is duplication or conflict. A permanent conference could not handle differences of administrative detail, but the conference should last long enough until some conclusion is reached. I think if you did that it would be a splendid thing. I think if you got a conference of these various departments, boards and bureaus and have the matter not only discussed but thoroughly inquired into you would smooth out conditions a great deal. I believe it wiser to act in this way rather than to jump at conclusions because we would be going out of the frying pan into the fire.

Q. Do you mean conference on proposed plans or legislation? A. I mean conferences on the administrative problems. I believe in enforcing these various laws. I imagine there has never been

held a conference between the five or six agencies that now have to consider at some stage in its career the problems concerning a building erected by a property owner. Let them come together and find out where there is actual duplication. The law may not state duplication, but the working out of administrative procedure may develop duplication. It seems to me the wise thing to do now is not to attempt a conclusion academically but to reach it after months of considered deliberation of a number of these questions.

By Commissioner GOMPERS:

Q. You would be opposed to the lessening of the emphasis on each special feature? A. I think there is danger in lessening emphasis. You can get an administrative organization so big that it can not operate.

By Mr. ELKUS:

Q. I would be very glad to hear from you further. A. I came in response to your invitation because (and I assumed that Mr. Adamson and the other gentlemen who are representing departments of the city will say similar things) we are now considering this problem. We recognize it as a distinctly important present problem. My own view is we are not ready for any conclusions. Perhaps the other gentlemen have reached conclusions. If we have not reached conclusions I suggest as a wise course to follow, since the Factory Commission has precipitated this discussion more or less, that the initiative might properly come from you to bring together these different factors in a more or less permanent conference, not for the purpose of administering these various laws but for the purpose of determining upon a policy of administration forgetting for the time being the jurisdictional differences.

Q. I may say to you this hearing was designed by the Commission to be the beginning of a series of conferences which would take place after the public hearing along the lines you state. I think I said that to you. A. I assume that is it. I will not now present to you gentlemen any of these mooted suggestions. We are not ready to submit them but we will be very glad to work in cooperation with you to reach such conclusions as we can.

ALDERMAN POUKER: May I ask the witness a question?

Mr. ELKUS: You may.

By Alderman POUKER:

Q. How would you answer question number 1, "should there be a department of labor for the city of New York and one for the rest of the State"? A. I do not think we should have a department for the city of New York and another for the rest of the State.

Mr. ELKUS: Thank you very much, Mr. Bruère.

Hon. ROBERT ADAMSON (Fire Commissioner) addressed the Commission as follows:

By Mr. ELKUS:

Q. Commissioner, you have been at the head of the Fire Department how long? A. Since the first of January.

Q. And during that time since you have been there have you obtained sufficient assistants in your department so as to make more inspections in proportion since the first of the year than there had been before? A. We haven't obtained any additional force, if that is what you mean, Mr. Elkus.

Q. Have you made more inspections? A. I think we have made more inspections of property.

Q. Can you give the numbers? A. I can not give you the exact number, perhaps Mr. Hammit can. I have them at the office. I can get them for you very quickly.

Q. Will you send them to me? A. Yes.

Q. Now you have studied this question which is before the Commission to-day, have you Commissioner? A. To some extent, yes.

Q. We will be glad to have your views in your own way upon the subject; now this Commission desires to find some way of relieving the property owner and the employer of unnecessary or duplication of inspections. There has been some complaint about inspections — I do not understand so much the duplication of inspections as the multiplicity of them, and if it can be avoided and still have the work done properly, of course it ought to be

done, and if any way can properly be found to do it it ought to be found, and that is the purpose of asking you to come here to-day? A. I was very much interested in the statement that you made at the outset that you have not been able to find any specific cases. We have had quite a number of cases coming into the department but most of them have been cases where the factory owners have been required to fireproof the windows leading to fire escapes. We have had quite a number of complaints of that kind, but otherwise I do not recall any specific complaints.

Q. Or duplication? A. Or duplication. I think there is considerable irritation on the part of the public due to the fact that there are so many jurisdictions dealing with this problem generally. I think the criticism or complaint which we have heard recently has come from the fact that another jurisdiction has been added in the matter of factory inspections recently. You know various jurisdictions are dealing with the matter now, and when the Fire Prevention Bureau was created and began to inspect buildings and issue orders there was considerable complaint at that time also, and then when added to that came the factory inspections here the complaint became more or less general.

By the CHAIRMAN:

Q. We might have extended the requirements, Commissioner, but the Labor Department always had jurisdiction over these different factories? A. The division of jurisdiction as to requirements in factories, the matter of exits, that was taken from the Fire Department and put in the Labor Department. That is what I refer to.

By Mr. ELKUS:

Q. That is as to the number of exits and size? A. Yes, I have never had any citizen's complaint that was not more or less general. There is undoubtedly a feeling of irritation and dissatisfaction on the part of a great many property owners over the fact that so many different jurisdictions are dealing with this question. That seems to be undoubted. Now the question has been raised here of some practical plan of avoiding duplication of inspection. That is a matter which was taken up by the Fire Department several weeks ago and there is now in existence a joint committee

consisting of a representative of every one of these departments interested, fire, health, water, tenement house and the Labor Department, a joint committee which has had several meetings and there is to be a meeting next Friday of all of the heads of these departments under the auspices of this joint committee. That committee has made considerable progress in laying the foundation for a workable plan which will avoid duplication and avoid conflict between the various departments. I have talked over with Mr. Miller, for example, a plan of combining the examination of architects' plans between his department and the Fire Department. That can be done without any difficulty, I think, and with great saving of time and annoyance to the architect, and if it works between our two departments, which I am sure it will, I do not see why it could not be extended to all departments which examine plans for buildings.

Q. Then is it your idea, Commissioner, that one department should examine the plans and the other departments without passing on them themselves, take the approval of the one department? A. I think that the requirements of each department could be thoroughly understood and that one department could examine the plans.

Q. One department to approve the plans? A. One department to approve the plans.

Q. What do you think of the suggestion of putting the Building Department into the Fire Department and giving general charge of all buildings to one department as far as building construction, alteration, and the enforcement of fire laws with reference to them? A. I think the enforcement of all fire prevention laws ought to be in the Fire Department.

Q. Let me ask you this question: Isn't it a fact, that if you are going to get any real benefit out of any of the statutes for the protection of buildings and property, that you have got to have the power of enforcement in the same department which has the power of inspection and the power to pass upon the requirements? A. I think that is unquestionable.

Q. You cannot have the two things separate? A. You cannot have the inspection and the enforcing department divided.

Q. That is the conclusion we came to two years ago when this

subject came up; now if that is so is not the only remedy in order to do away with the number of inspections which are now required to be made; to consolidate some of the departments?

A. Yes, I think that's true.

Q. In the city of New York? A. Yes.

Q. There is no complaint of this kind that we have heard anywhere but from the city of New York and if a number of these departments were put into one department do you think it would be possible then to do away with this number of inspections and still have the law adequately and properly enforced? A. Yes. I think, if you will allow me to say so, that probably a correct division would be something like this: The State Labor Department through the Industrial Board to have the power of regulation, making regulations, and the power of enforcement should be in the local departments, that of fire prevention in the Fire Department, that relating to health and hygiene and sanitation of buildings in the Health Department.

Q. Then you would take away the jurisdiction of the State Labor Department from the city of New York as to enforcing the law? A. As to enforcing the law. As to making regulations of the requirement in factories, that should remain.

Q. That was suggested to the Factory Commission two years ago and was very bitterly opposed? A. I know it has been discussed, but the suggestion is in the line of reducing jurisdictions and in the line of concentrating administration.

Q. Even if the State Labor Department did not give up its right to enforce its own laws there could be a consolidation with the saving of men and money of these different city departments having charge of buildings? A. I think so, yes, sir.

Q. Commissioner Adamson, turning to question 7, do you believe there should be a Conference Board of the heads of the city and State Departments as indicated there? A. As I have just stated, we made two months ago a start in that matter.

Q. That is in the city alone? A. The Labor Department has been represented and there is to be a meeting next Friday of all of these departments which I have mentioned; the purpose of that meeting is to confer and get the consensus of opinion as to a working plan which will avoid the conflicts and duplications which

have been complained of. There has been considerable progress made on that already. It has been discussed here as a possibility but we have started and it has been under way for almost two months.

Mr. ELKUS: Any questions, Mr. Chairman?

By the CHAIRMAN:

Q. You say, Commissioner, that you have personally not had complaints of either multiplicity of inspections or duplication of inspections? A. I haven't had any specific complaints; I have heard general complaints.

Q. There has been a lot of duplication and there must be something wrong, but no doctor, it seems to me, can diagnose a case unless he has some symptoms, and we are looking for particular cases where this duplication of inspections exists, and then perhaps we can do something to afford relief? A. I have had no specific complaints.

By Commissioner PHILLIPS:

Q. Do you know of any? A. No, I do not. I have heard rumors but I do not know of any specific case.

By Mr. ELKUS:

Q. The complaints you heard were with reference to enforcing the law such as the putting of wire glass in windows? A. Most of the complaints have been regarding that.

Q. And also sashes? A. Yes.

Q. Now from your own knowledge of that subject are those two things necessary? A. Which two things?

Q. Wire glass in windows where there are fire escapes and the metal frames? A. I should think if the provisions of the Labor Law are complied with in every respect as to other exits they might not be.

Q. Then you don't have to have fire escapes? A. No, if the provisions of the Labor Law are complied with in every respect.

Q. Then in many cases the Labor Department has permitted the owner, if he desires, to take down the fire escape? A. Yes.

Q. Because he found it useless? A. Yes, and we have had requests from property owners for permission from the Fire De-

partment to take down fire escapes in buildings where the Labor Department has ordered windows fire proofed.

Mr. ELKUS: That is all, Commissioner, thank you very much.

Hon. MARCUS M. MARKS (President of the Borough of Manhattan), addressed the Commission.

By Mr. ELKUS:

Q. Mr. President, you are the President of the Borough and have been since the first of January? A. Yes, sir.

Q. Have you read this statement of the purpose of this hearing to-day? A. I have.

Q. We should be very glad to hear from you about the matter? A. Yes, sir. With your consent I will read a statement which I have prepared in answer to your questions:

The duplication of inspections and the conflict of orders issued by the State, City and Borough authorities, in connection with the buildings of New York, have reached such a state that both owners and tenants are in despair.

The most important consideration in Government is to foster respect for the law.

Recent developments in the activities of conflicting powers have tended to weaken this respect for the law. When the law demands that you swing your doors outward, and another law demands that you change this arrangement on account of interference with passers-by on the sidewalk, it is pretty hard to be patient with the law. When a City Department orders the owner to erect a fire escape from the roof to the sidewalk, and he complies with the law, and a Borough Department issues an order for the removal of the fire escape from the sidewalk, on the ground that it is an encumbrance, the citizen becomes demoralized and loses some of his respect for the law. When one Department gives permission to connect two buildings, so that one fire escape may answer for both, and another Department orders fire-proof doors to be erected in the openings which have been permitted, there is a wail of despair.

I find that in New York City at least seven departments can send inspectors to a citizen's house or building. These are: (1) the Bureau of Buildings; (2) the Fire Prevention Bureau; (3)

the Fire Department; (4) the Health Department; (5) the Tenement House Department; (6) Department of Water Supply, Gas and Electricity; and (7) License Bureau. Add to this, the State Labor inspection, and we have a total of eight legal inspections which can be made. In addition to this, each one of these inspectors has the right to lay down rules and instructions as to what shall or must be done to comply with the law, as his department sees it.

No one can deny that these duplications and conflicts come to such a point that we are bound to call a halt.

There are some who feel that New York is not a manufacturing city. They are not posted as to the facts. New York is one of the greatest manufacturing centers in the world, and to drive factories out of New York drives out homes also, because, unless there is an opportunity to earn wages, or to make profits in a factory, there is an equal lack of opportunity to be able to afford a home in the city. Drive out the factories and you drive out the homes and make it impossible for working people to live decently in our city.

The ill effects will be felt by all classes of the community. Worst of all, this conflict of orders from various departments brings about a lack of respect for the law.

I have been advised that it is quite likely that the situation will be further complicated by the addition of another authority which is entering the field. The conflict between Borough, City and State authority will be increased if the Industrial Relations Committee, which is now dealing with manufacturing problems, should decide upon measures which will again conflict. I hope that this will not happen.

There are two things to do in handling the present situation; the first is to bring about the greatest possible co-operation between the heads of the various bureaus under the present laws.

The plan which I have suggested is the establishment of a Board of Inspectors. I want to say I have already done a great deal to help bring this about by having conferences with the various commissioners and asking my engineers to do the same and arranging between them to have these conferences, and now I understand there is a regular system of conferences going on which is going to be very helpful. I have recommended strongly to the Mayor in a

letter which I wrote to him the establishment of this Board of Inspections. The Board should be empowered to carry out the orders of all State and City Departments, co-ordinating these orders, and calling attention to conflicts that may arise among them. Thus we would have a clearing house for inspections and orders, instead of eight inspectors visiting the same building, two at the most would answer all purposes, provided they were clothed with the proper authority and supplied with the necessary information.

This would have a beneficial effect in two directions: By means of it the conflict will be reduced almost automatically to a minimum. Also, there would follow a betterment in the efficiency of the inspection itself. The men representing several departments would develop greater ability and become entitled to larger salaries in proportion to the grade of work they did.

We cannot, however, eliminate the duplication because the laws must be carried out. Therefore, comes the second method for relief, namely, legislation. There must be either a combination between more departments under one head, or the establishment of a Joint Board of Inspection. If all departments should place their orders into the hands of such a Joint Board, the officials of which will be authorized to harmonize differences, it would be a great saving to the State and City, as well as the elimination of conflict, which would be greatly appreciated by the citizens. Instead of eight inspectors going into a building and covering a large territory, two inspections would serve the purpose of all the departments, and each inspector would have a small territory to cover. The same kind of ability that serves for one department will serve for several others, and, in cases of special difficulty, consultants, who have exceptional ability, could be called into conference.

Our department has been doing this by personal conferences between the President of the Borough and various Commissioners, as well as similar conferences between engineers and other officials of the various bureaus. We are minimizing the conflict by such friendly co-operation.

During the last few weeks I have received a volume of letters from business men, house owners and taxpayers in general, ex-

pressing hostility to the methods as present in use, and a strong desire to see the system rectified.

The Real Estate Board of New York, at a meeting of its Board of Governors, held on May 12, 1914, adopted resolutions with this object in view.

It is my sincere hope that some plan of relief will be quickly decided upon.

Something must be done at once. There is hardly another feature of our city government that requires more immediate attention.

By Commissioner JACKSON:

Q. You speak particularly as to conflict of orders in relation to doors; has there been any conflict between the Labor Department and the various departments of the city government so far as you know? A. Yes, sir, I have been forced to physically tear down doors that swung out over the sidewalk in this city recently, and they were swung out on the orders of the State Factory Department.

Q. Why was it necessary to swing the door out in the street? A. The man who owns the house puts his door as far out as the law will permit him so that he has more space inside. The door swings in on his own property. Then comes the order of the Labor Department of the state, the wisdom of which I do not question, asking him to swing his door out. The State Factory Department, however, does not advise him to consult the borough authorities and he is not aware of the fact that if he swings that door out I will get after him, because he is hitting people that pass by. The sidewalk belongs to the people and I have to take care of that.

Q. But you agree it is not necessary to swing the door out in the street when he can remove the frame work and swing the door in a vestibule? A. If he received notice at the same time that he receives the other notice that it should not swing beyond the building line it would be different.

Q. Don't you think the ordinary property owner in New York is aware of that? A. He cannot keep track of the frequent changes of laws any more. It is expecting a great deal of the average man.

THE CHAIRMAN: That isn't a new law.

THE WITNESS: The execution of it seems to me new.

Q. Doesn't he know that to swing a door into a thoroughfare is against the ordinances of the city; you don't think there is a conflict there, do you? A. I said I do and I do think so.

Q. Don't you agree that he should know? A. No, sir, I do not. I am talking of the average citizen now.

By Commissioner GOMPERS:

Q. Isn't it a matter of fact that in every phase of human activity for which laws are provided the citizen is assumed to know the law and if he violates the law he is held accountable for it? A. Well, the answer to that is that the laws that are on our statute books the citizen is supposed to be posted about, provided they are executed, but when the citizen gets a simple notice to swing his door out the most natural thing for him to do is to change the hinges and swing them out.

By Commissioner PHILLIPS:

Q. Your idea is that at the time the order to swing the doors out is given the inspector should caution him? A. He might call attention to the fact that there is a double authority which he should consult before acting.

By Mr. ELKUS:

Q. Do you seriously maintain there is any property owner in New York City who does not know he hasn't any right to encroach on the sidewalk? A. If you would go among them you would think so.

By the CHAIRMAN:

Q. Either that they don't know or don't want to know? A. There are many who don't know. My experience has proven to me that when a man gets an order to swing the door out that is swinging in and gets no other information it is the most natural thing for him to leave that door where it is and by changing the hinges to swing it out.

By Mr. ELKUS:

Q. It doesn't require legislation on that subject; your idea is that if the State Labor Department or any other department ordered the doors swung outwardly they should put on the notice to be careful to see, in complying with this order, that they do not disturb any other rule of any other department, is that right? A. That would not cover all the points.

Q. I do not mean to say that is going to cover every single case. A. It would help out but it wouldn't cover the point.

Q. What I wanted to bring out was this, Mr. President: What you want to have done is to call the attention of the property owner to the fact that in obeying one law he must be careful not to transgress the other law? A. I think it would be very helpful.

Q. That is more of an administrative regulation than it is new law; you don't want new law to bother with that. A. Even then there will be the number of inspections.

Q. I am coming to that in a minute; I want to take up your statements in order? A. I think it would be very helpful.

Q. I am trying to get at a remedy; assuming that all these conditions exist let's get at a remedy; now my first point is take the case of a man who is ordered to have his doors open outwardly, and you concede that is a proper regulation, and your question is that in trying to open his doors outwardly he would get on the sidewalk and he can be ordered off; what I want to know is in order to remedy that all you need to have is a little co-operation between the different departments so that when an order is made requiring doors to be opened outwardly the owner could be notified that in obeying that order he should be careful not to violate any other law or rule and that a notice reading "This does not authorize you to put your doors on the street," or something of that kind would seem to be all that might be necessary in that case? A. I think that would be very helpful, indeed.

Q. Now take the next case you mentioned. You said something about a set of orders regarding a fire escape from the roof to the street? A. Yes, sir.

Q. Of course, you know no city department orders them to put a permanent staircase on the street? A. I think that is the order that came to this party. If anything comes within ten feet of the

sidewalk it is an encumbrance and it comes under our jurisdiction and it is an encumbrance which will interfere more or less with the passersby. As soon as this case came to my attention I took the liberty of asking Mr. Miller of the Bureau of Buildings to meet Mr. Hammitt of the Fire Prevention Bureau to talk it over.

Q. What I want to say is, a little co-operation between the two city departments involved would have solved that whole problem?
A. It would not change the laws.

Q. The law does not require there should be a stationary fire escape down to the sidewalk; the law specifically requires that the last ladder shall be a balanced ladder which provides for it being ten feet above the sidewalk? A. Perhaps the Commissioner, who is here, who knows more about the detail could answer that better than I.

Q. It does not need legislation to remedy that? A. It does provided the law permits a fire escape to be within ten feet of the sidewalk.

Q. We will call Mr. Hammitt afterwards; now you said there was a great deal of duplication of orders; I am not talking about duplication of inspections, I am not talking about multiplicity of inspections but duplication of orders, and if you have any examples which you know of, of your own knowledge, we would like to have them? A. Duplications?

Q. Duplications, that is where the same thing was inspected by different departments and different orders were given for the identical thing by different departments? A. I have quite a volume of literature and if you would like I will send it over to you.

Q. Yes, I would like to have it.

THE CHAIRMAN: Specific cases?

MR. MARKS: Specific cases.

Q. That is what we are looking for; we hear speeches but we do not get specific cases? A. I have given you some specific cases.

Q. No, you have not? A. Do you want me to give you the numbers of those places where I had to tear these doors down?

Q. That is not duplication. We have had cases where a door had to be opened outward and they had to build a vestibule and

every property owner who knew anything should know you cannot build a door on a street? A. One inspector ordered the door to swing out and another inspector saw the door swinging out and he ordered it should not swing out.

THE CHAIRMAN: In the Labor Department?

MR. MARKS: No, I don't say that, but it is the conflict between the departments.

Q. The order of the second man, if he made the order, was that they should not encroach this door on the sidewalk? A. Yes, sir.

Q. Now whether the door swung out or in, it could not go on the sidewalk? A. If it swung in it could not.

Q. If it swung both ways? A. It would then.

Q. It would? A. Yes.

Q. You would permit it to go over the sidewalk? A. No, sir, we would not permit it.

Q. I say if it swung both ways you would not permit it? A. Would not permit it.

Q. The only way you would permit it to swing is inward?
A. No, we don't care how it swings so that it does not hit anybody passing by.

Q. Why didn't your inspector tell him to vestibule the door?
A. Our inspector did not go into the thing until it hit somebody passing on the street.

Q. Why didn't he then tell him to vestibule the door? A. We told him to remove it.

Q. Why? A. Or swing it inside. We didn't care what he did, he could run it on a groove.

Q. Have you any cases, specific cases, of conflict of orders of the different departments? A. Yes, I have.

Q. Have you them with you? A. I haven't specific cases. Perhaps the fire bureau might mention some.

By the CHAIRMAN:

Q. We had the fire commissioner on the stand and he said he had no specific cases, only the general talk? A. We had one recently which I mentioned in my statement. I didn't give any names and addresses, but I mentioned a case where an owner of two adjoining buildings wanted to put up his fire escape and he

was told by one bureau that the way one fire escape would do for the two buildings would be by connecting those two buildings, breaking through an entrance on each floor. That made one building of it according to that bureau. Another bureau came along after this was done and said they must put fireproof doors in there. That settled the opening question. That was a conflict naturally.

Q. Was that a conflict of orders or change in the statute? A. Whether it was a conflict of statutes —

Q. It was no conflict of statutes or no conflict of orders either? A. Well, any way, the owner is pretty well demoralized about it.

Q. I am sorry for the owner; now what we want is a remedy; you say that the United States Industrial Relations Commission can make new laws? A. I say they are in session now and I hope they won't go any further in the way of recommendations for further laws.

By Commissioner GOMPERS:

Q. What have you in mind as to your apprehension? A. The idea is to make the factories as sanitary and as safe as possible, that is the idea of everybody.

By the CHAIRMAN:

Q. You agree that it ought to be done? A. I agree very heartily that everything should be done to make them as sanitary and safe as possible, but I do not think it requires eight inspectors to do that.

By Commissioner GOMPERS:

Q. But what apprehension have you in regard to the Industrial Relations Commission? A. I do not know what they are adopting now. We have the borough, city and State, I know what they have done. Now comes the United States Government and what are they doing to help things? They may report perhaps a recommendation to Congress. Are you sure they won't recommend anything to Congress?

Q. I am sure they won't recommend anything as to which you have expressed apprehension? A. If you are sure of that I will take your word for it. I am glad to hear it.

By Mr. ELKUS:

Q. Now let me ask you this question, Mr. President; isn't this the fact that this agitation or complaint which we are all familiar with, doesn't it arise from this: one department makes an inspection of a building and orders certain things to be done and the owner or the tenant or the manufacturer complies with it and by the time he has the mechanics out some other department comes along and orders something else to be done, instead of it all being ordered at once, which would save cost and time and trouble; now isn't that the case in most of the matters that come under your notice? A. That different inspections result in different orders?

Q. Yes? A. Yes.

Q. And they are executed at different times? A. At different times.

Q. And that ought not to continue; we all agree on that? A. As far as possible it should be stopped.

By the CHAIRMAN:

Q. You mean different orders for the same thing? A. Affecting the same situation but not the same thing.

By Commissioner PHILLIPS:

Q. When an order is made that order ought to embrace all the collateral orders that enter into it so that the owner or tenant could complete his job at one time? A. That's the idea.

By Mr. ELKUS:

Q. If certain things have to be done in a building properly required under different laws administered by different departments isn't it proper that the order should be given at one time so that the owner could make his arrangements at once? A. It would be a great gain.

Q. And isn't that the particular complaint? A. That is one of the principal complaints, that there is no end to the thing. The owner want a "clean bill of health" some time or other.

Q. Now, Mr. President, can not that all be done without any legislation by simply having a conference between the heads of all departments and whenever one department is going to issue

an order about a building to confer with every other department first, and say we are going to issue such and such an order, have you inspected this building, or do you intend to issue any orders; if so please do it now? A. It would be very helpful.

Q. Can that be done without legislation? A. That is being worked out now. We are working on that every day.

Q. Then if the departments of the city of New York simply get together and have a system of co-operation eighty per cent. of the complaints would disappear? A. I don't know the percentage.

Q. Well, a large per cent. A. A fair percentage would disappear.

Q. And without legislation? A. Without legislation as to that part of it.

Q. Now you say we ought to have one bureau — perhaps I didn't follow you — you say we ought to have one bureau to make inspections and carry out the orders? A. That is my idea.

Q. That is, you put in one department the power to inspect and enforce the orders of all the other departments? A. I believe that all the inspectors of the various departments, if they could be combined in a board of safety or board of inspection, call it what you like, then all that you are urging about would be done automatically.

Q. Now let see if it would and whether it would work; your idea would be to have a bureau which would inspect, and after it inspected would report to the three different departments of New York city the result of inspections, is that right as far as I go? A. It will be well to do that, or, upon consideration, you might deem it wise to give the power to such a board of inspection to carry out the law.

Q. First they would inspect and report the facts; then these different departments would say what they would want to have done? A. No. My idea is that they would get the orders.

Q. How would they get the orders before the inspections? A. Not the orders, but the rules.

Q. You mean the statutes? A. Carrying out the rules.

Q. Now each property owner is supposed to know the law, that is it is published and he is supposed to comply with it; now the only way that the departments have or the government has of

finding out whether the law is complied with is to have an inspection made and after the inspection is made and they find the law is not complied with then to make the orders? A. That is right.

Q. How could you get orders promulgated without first having inspections? A. If all the orders of the various departments were sent to one board that board would carry out these orders.

Q. First you have to have your inspections before any orders can be made, except general orders, to comply with the existing laws? A. That may be your thought; that isn't mine.

Q. I want to get your thought; I would like to know what you mean? A. It is very easy to explain what I mean but I can not exactly run my mind on the groove in which yours is running.

By the CHAIRMAN:

Q. We are trying to get a remedy? A. My remedy is very simple.

Q. Lets see if it works out? A. My mind has run clearly on that groove; it is a plain business proposition.

By Mr. ELKUS:

Q. I want to hear the plain business proposition, but I want to find out so that we can work this thing out practically. I will take your first step; we have general rules about how things are to be done in buildings and the property owner is supposed to comply with them; suppose he does not comply with them, what would you do next; would you have this one department inspect the buildings and report or would they inspect and say that this should be done or this should not be done or would they report back to some bureau? A. My opinion is that the inspection should go ahead of the order.

Q. That is what I said, but you said the order should go first? A. The rule or ordinance, not the order.

Q. Then we agree that far; the inspection should come first, and that should be made by this one department of inspection? A. Which has full knowledge of the laws or rules of all the departments.

Q. Now then this department makes its inspections, it finds that certain things are not complied with that ought to be done;

now does it give the orders right away to have them done or does this department report to the First Department, for instance, and say here — let's take a concrete case — suppose the law requires a fire escape should be put on a building and this department of inspection after a while inspects that building and finds that that fire escape is not on and also finds that windows are not wired as required and also finds at the same time after making a thorough inspection of that building that some sanitary requirement of the Labor Law is not complied with, or supposedly not complied with, and also we will take some doors which open outwardly beyond the building line when they ought not to — now does that department go to work and say here Mr. Property Owner these things are not done and we order you to do this, that and the other thing or does this department of inspection report those facts to the four or five different departments that have jurisdiction and then wait for their orders before going ahead? A. That is a matter for the Commission to work out.

Q. We are trying to get your views about it? A. I would rather feel inclined to have the department O. K. the recommendations resulting from the inspection.

By the CHAIRMAN:

Q. Who enforces the order? A. The department, I think, would be the proper authority.

By Mr. ELKUS:

Q. The department itself? A. Yes, sir.

By the CHAIRMAN:

Q. You would separate the inspection from the enforcement? A. Let's get it down to something concrete; here instead of eight inspectors, get it down to two. One is an inspection by an average inspector who is a plain, practical, common-sense man; the other by an engineer inspector who takes care of the parts of the inspection that require engineering knowledge; now these two men have gone into the building, and they report that according to the orders that have been received by them or the rules and regulations of the departments they find that certain changes are necessary in that building. It may be that only one department will require anything to be done. It may be that two will.

At any rate, the departments that are required to act according to these inspections are the only ones that ought to be notified, and they should pass upon them. You can not take away the power of the departments.

Mr. ELKUS: That is what we agree on.

Q. How would you enforce it; they get the order and issue the order? A. The same as it is now.

Q. They give an order and within a reasonable time the inspector is sent there to find out if the order is complied with? A. That's all right, but the inspector does not carry out the order.

By Mr. ELKUS:

Q. You would not eliminate then a single department we have? A. I do not say that; that is another proposition.

Q. Under your plan? A. I haven't gone into that question today as to the elimination of departments. That's a matter for the charter commission.

By the CHAIRMAN:

Q. The emphasis has been placed on the inspection; now you would separate the two things? A. We do now.

Q. Then you enforce the order? A. Yes.

Q. Some other department does not do it? A. No.

By Mr. ELKUS:

Q. When this subject of a department of inspection came up a great many men who had studied the subject gave their opinions about it; now you know Mr. Robert W. DeForest; he is a man of experience and ability? A. Yes, sir.

Q. Now he said this: "The Bureau of Inspection, such as is suggested in this question" — that is the questionnaire we issued three years ago — "should emphatically not be established. The duty of inspection and the duty of enforcing the results of inspection should not be separated in different departments"? A. That was his view; and if you were satisfied with that view you probably would not have this hearing today.

Q. We were satisfied then but apparently the situation seems to have changed; you would have besides all the bureaus now established, you would have a separate bureau of inspection, the power of enforcement, however, to remain with the same depart-

ments as now? A. That is something that I say should be studied very carefully. At the present moment that is my view but I haven't given that detail the study it deserves.

Q. Of course that would mean the duplication of inspections after the work was supposed to be done? A. Not necessarily; the same two men instead of eight men would do it afterwards, just as the eight men do it now.

Q. Your case of eight men is rather an extreme case? A. Rule out one of them, which is correct?

Q. The Bureau of Licenses, when do they inspect? A. They do inspect; take theatre buildings and moving pictures.

Q. But it does not affect factories? A. I was not speaking only of factories — the news stands, how about them?

Q. That isn't a manufacturing establishment? A. This is only factories?

Q. We are talking about factories and mercantile establishments? A. A news stand is a mercantile establishment.

Q. Now, Mr. President, I think we can get down to this — the cases that you mention — if there was co-operation between the different departments of the city it would be vastly beneficial, wouldn't it? A. Yes, sir.

Q. And that is within the power of the city officials to bring about? A. They are trying to do it.

Q. Does not the Mayor control every department of the city? A. Not the State Labor Bureau. The Mayor does not control the Borough President's office. It is absolutely beyond his authority.

Q. You would act in harmony with the Mayor? A. Certainly.

Q. What other departments doesn't he control? A. Neither the State nor —

Q. In the city? A. He has charge of all the other city departments.

Q. And in the Borough President's office the heads of the departments in his office are appointed by the Borough President? A. Yes, sir.

Q. And his orders? A. Are final.

Q. So that in the city of New York it comes down to the Mayor and the Borough President? A. In the city of New York.

Q. And if the Mayor and the Borough President are determined to avoid as much as possible by regulation the complaint

which has been made as to all these matters it is within their power to do so? A. Yes, sir, then it goes up to the Governor of the State.

Q. Now suppose there was a conference board between the State and the Borough President and the Mayor that would cover the whole subject? A. That would be very helpful.

Q. And as a practical matter it would cover the whole subject without legislation? A. It might result in changing the laws so that they would not conflict.

Q. After they had conferred awhile and worked the thing out there might be required some simple legislation? A. I think it would be very helpful; I am heartily in favor of it.

Q. Such conference? A. Yes, sir.

Q. That is the one we outlined in question seven? A. I don't remember the number of the question.

Q. That is the one we outlined? A. Yes, sir.

By Commissioner PHILLIPS:

Q. That is, if the Labor Commissioner issued an order submitting that to the other departments they would issue an order as to how that was to be done? A. There is one person I have in mind and that is Commissioner Lynch, who promised to see me this week.

By Commissioner GOMPERS:

Q. He was here this morning? A. I haven't seen him.

Q. In the very interesting paper which you read to the Commission occurs a more interesting, if possible, paragraph to which there can scarcely be any dissent, but after reading it I shall want to ask you a question in connection with it. You say: "There are some who feel that New York is not a manufacturing city. They are not posted as to the facts. New York is one of the greatest manufacturing centers in the world, and to drive factories out of New York drives out homes also, because, unless there is an opportunity to earn wages, or to make profits in a factory, there is an equal lack of opportunity to be able to afford a home in the city. Drive out the factories and you drive out the home and make it impossible for working people to live decently in our city." Now this morning the Commission had before it the Com-

missioner of the Department of Labor of the State of New York and he was asked whether he knew of any factories or mercantile establishments which had moved from the State of New York into some other state on account of the laws affecting regulations and improvements for the protection of life and property of workmen and employers and business men, to which he answered emphatically that there was no instance of which he knew. Now I ask you whether you know of any establishment which has been driven out of the State of New York by reason of the legislation within the past year? A. My answer to that is that the laws which are now being so generally complained about have not been executed in the past with the same vigor that they have been recently executed. I understand there have been thousands and thousands of orders that have been held and only recently executed. I have this morning received a list of fifteen manufacturers who are getting ready to move out of the town. It isn't the past I am speaking about. I am speaking of the future. We have the situation before us now that we never had before us in the past. There has never been this conflict and this activity in issuing conflicting orders; I do not want to wait until after manufacturers have moved away from New York — I am coming here before they have moved away from New York. That is the situation. There are many who have written and have appeared before me and said it is impossible for them to stay longer in this town, that they are being hounded.

Mr. ELKUS: That same statement was made when we were talking about passing laws prohibiting child labor, which everybody agreed to; it was that if we passed these laws they would all move out of the State, and not one of them did.

Q. Mr. President, would it be indelicate or a violation of confidence or incompatible with the business interests of the fifteen gentlemen whom you have in mind whom you say have made this complaint to give us their names? A. I will get you the names if you desire. I will be very glad to send them to you in confidence.* I don't care to publish them. Moreover there is a general feeling of alarm. It isn't only the fifteen. This is one section. There is a general feeling of alarm in the town.

* The list referred to was not sent to the Commission. See pp. 468 and 565.

By the CHAIRMAN:

Q. As to what? A. As to the penalties that are being inflicted upon the manufacturers by this conflict of inspections.

Q. Is it the conflict or the requirements of the law? A. It is the conflict.

By Mr. ELKUS:

Q. The laws themselves they don't object to? They don't object to the laws but they object to these constant annoyances, contradictory orders, piece-meal orders. Now while on the subject I want to say, so that you don't think I am coming here to talk about fifteen men, that I am not representing fifteen men in this talk. I propose to represent the sentiment of the borough so far as I can discover what it is. I have addressed meetings in every part of this borough and I can tell you I need to say nothing more than duplication and conflict of inspections and if this were a campaign I would run into office on that platform.

By the CHAIRMAN:

Q. I hope that isn't influencing you? A. No, this isn't a campaign.

Q. We have heard a lot of these general statements and if there is anything wrong we want to correct it? A. That is right.

Q. But your statements do not help us; there is nothing specific enough? A. Do you want the numbers of the houses?

Q. No. We want cases in which there has been a conflict of orders? A. I have given you three different classes of orders that conflict.

Q. You have give us one in the case of the door going in and out? A. Yes.

Q. Even if that happened that wouldn't ruin anybody? A. They are all over town.

Q. Where are they all over town? A. Shall I send you a list?

Q. Yes. I think these gentlemen if they complain should be willing to come before us publicly and tell the whole procedure showing the sufferings which they have undergone as a result of orders. Give us the orders and what the nature of the complaint is? A. I will tell you what I suggest. The real estate owners' associations will give you all the details.

By Mr. ELKUS:

Q. We have asked for them and they have not given us any as yet, not one case? A. It is their business to do that.

Q. I agree with you but they haven't done it? A. All I can say is to represent the sentiment here and give you my experiences.

Q. Now, Mr. President, when you refer to conflicting orders, such as doors opening outwards, that is not a conflicting order because you can not take part of the sidewalk? A. The State Labor Department inspector says you can not swing it inwardly and the owner says the only way he can swing it outwardly is by swinging it over the sidewalk.

Q. That you say is a conflicting order? A. Yes, sir.

Q. We want you to swing the door out but you can not swing it on the sidewalk; you can do that by co-operation? A. Yes, sir.

Q. You can order it without legislation? A. Yes, sir, and you don't need two inspectors on the job. The State Labor inspector is the man who first issues the order.

Q. He don't need to if the owner has complied with the law? A. If you would only give a few less laws to the owner.

Q. That is what I want to get at, what laws would you eliminate?

By the CHAIRMAN:

Q. What are the laws that are on the statute books that you would repeal? A. I would want to make a study.

Q. That is just the trouble? A. That is what you are doing now.

By Commissioner GOMPERS:

Q. Wasn't it possible, Mr. President, for this property owner to comply with both orders, the one from the Department of Labor of the State and the other from the Borough Department; was it impossible for him to comply with both orders? A. It would not have been if he had gotten both orders at the same time.

Q. Was it impossible for him to comply with both orders? A. In many cases, yes.

Q. Was it impossible for this particular man? A. I don't know how they are going to work that.

Q. Was it impossible for him to comply with both laws? A. I have complaints, Mr. Gompers, from people who say that the orders that they receive make reconstruction of their buildings necessary. It isn't impossible to reconstruct buildings.

Q. Mr. President, a man of wide intelligence and experience and good will, I know you so well and it is not flattery in which I indulge, but you have made specific complaint against the order that this man must not have his doors swing inward but must swing it outward. A. That is only an illustration.

Q. Permit me to finish please. He placed that door swinging outward so that it interfered and conflicted with the laws controlling the borough; now was it impossible for him to have complied with that first order and still remain within the laws of the borough? A. Oh, no.

Commissioner PHILLIPS: I suppose, Mr. Marks' contention is that it is the duty of the inspector, who is presumed to know the law to say, to the property owner make that door swing out and at the same time he should suggest to him that he must do it without encroaching upon the street, and that if the inspector did not think of that, it is reasonable to think the property owner did not and he would simply shift his hinges and swing the door. A. Yes, sir.

By the CHAIRMAN:

Q. If there is nothing more serious than that I wouldn't call that a serious situation? A. That is only a detail.

Q. I think what you find in a good many cases is that a factory owner does not contend that the law which may compel him to make a change is not for the betterment of conditions or for the betterment of the people employed by him, but he is heavily burdened with taxes just now and the additional cost is a burden upon him? A. Mr. Chairman, what I have more at heart than anything else is my fear that we are going to create a disrespect for the law when we give conflicting orders.

By Mr. ELKUS:

Q. I haven't seen any conflicting orders; I agree with you that if they were conflicting they would create disrespect.

The CHAIRMAN: The people complaining ought to help us.

The WITNESS: I think they are doing so.

The CHAIRMAN: And see if we can remedy it. This year the Legislature passed some laws advocated by the real estate owners in New York. They came up and I think their demands were reasonable and they secured the legislation.

Mr. ELKUS: Does anybody desire to ask any questions. Do you object to answering questions?

Mr. MARKS: I have no objection although I am due back at one o'clock.

Mr. LAUREYNS: When orders are issued there is one eventual thing, there is one certain man who had to execute these orders and the builders and the architects, they are the men who professionally execute these orders. Now I would simply like to ask this question: Isn't it proper that the builders should deal with the Building Department as such and no one else?

Mr. MARKS: That is a thing I will ask the Commission to answer. I want to say though that the majority of owners do not require either architects or builders. Most of the orders are not of that serious nature. They come along in small sections and the citizen takes a carpenter or mechanic who doesn't know of these conflicting orders.

Mr. LAUREYNS: A carpenter or mechanic is a builder?

Mr. MARKS: In a sense.

Mr. ELKUS: Mr. President, I am very glad of this word from you and I would like to impress upon you if there was co-operation between the departments of the city government a great deal of these complaints would be done away with, a great percentage.

Mr. MARKS: A percentage. I have already acted upon it.

Dr KORN: Isn't it a fact that in a great many cases where these orders are issued to swing the doors outward that it is absolutely impossible to take that space from the stores without harming the rental value of those stores and if they do swing them out-

side they would come under your jurisdiction and you would have to take them away?

Mr. MARKS: I think I alluded to that, that even the changes that are ordered, simple though they may seem, require structural changes in the building and for that reason are very difficult to carry out.

Mr. ALFRED R. KIRKUS addressed the Commission as follows:

By Mr. ELKUS:

Q. Mr. Kirkus, will you state whom you represent. A. I represent to-day the Merchants' Association of the City of New York.

Q. We would be glad to have your views on this question. A. The Merchants' Association, by action a few weeks ago, considered the question of the duplication of orders which had been reported to them, and resolved that the Chairman appoint a sub-committee or two or more to make a careful study and analysis of the laws relating to fire prevention, to confer with the Commissioner of Labor, the Fire Commissioner and other authorities in relation thereto and obtain the views of experts having special knowledge on this subject and prior to the meeting of the Legislature of 1915 to report to this Committee for its consideration, recommendations and amendments of the existing law. They also opposed the extension of the powers of the Department of Labor and Fire prevention in mercantile establishments. In regard to the questions asked to-day they did feel that there was not enough publicity or time for preparation on such an important matter, as on Friday morning last they had not yet received notice of this hearing. I asked them to write to you, Mr. Elkus, to be put on the mailing list.

Mr. ELKUS: I think they are mistaken about that.

Mr. KIRKUS: I inquired two consecutive days. In answer to the various questions, answering specifically your questions, number one — If a Department of Labor is necessary in the City of New York, it should have laws and rules for said city and not be included in general laws for the whole State.

We believe, however, that the existing departments and laws applicable to the City of New York cover all matters taken care of in the Labor Laws.

Number 2—Establish an "Examining and Enforcement Bureau" for the City of New York, in which the various city or other departments shall concentrate their usual or special inspection reports covering all buildings. This could be built up from selected employees of the various departments interested. These reports should be examined, tabulated and recorded to see that there is no duplication or conflict. When a violation appears, the Bureau should differentiate between what should apply to the owner and what should apply to the occupant, if separate and distinct. The *one* order when issued should be specific and should include the legal requirement in that case of the different departments. No order should be sent to an owner of the building, that should apply to the tenant and vice versa, and in drafting laws this distinction should always be carefully considered. The usual procedure being to send an order to the owner of a building and force him to straighten out any difficulty or any illegality caused by no matter whom. Questions three, four, five and six are answered by the above answer to number two.

Conditions *have* changed in three years, we are now faced by facts instead of theories.

The matter of question seven would adjust itself by the suggestion in answer two. The various departments would, under it, have to have a working agreement. The Building Department, the Fire Department and all others would send their orders to this Examining and Enforcing Bureau. It would reply to the Building Department—you say this and the Fire Department says that—get together, tell us what you want and the section of the law covering same. The order must be explicit and must not conflict with any other.

There will have to be also considered simple methods of appeal or arbitration regarding orders with discretionary powers, following along the lines of the Board of Examiners of the Building Department, the present laws of the City Departments being fully competent to cover any special cases requiring immediate attention.

The saving in cost by the above suggestions is estimated as very large, and the saving in loss to owners and occupants incalculable.

A vital mistake has been made in the existing Labor Law, in that no consideration has been given to the different classes of buildings and occupations included in the law. A building where one or more persons are employed at labor is legally just as bad as one where one thousand or more persons are employed. An occupancy with highly inflammable stock and large numbers of excitable women is graded with an occupancy of heavy machinery and a few men. A mercantile establishment, "any place where goods, wares or merchandise are offered for sale," might be a 10x10 delicatessen store, or an H. B. Claffin Company wholesale warehouse, a newspaper stand or an Altman's.

Replying to the statement in the call for this meeting that practically all who appeared before the Commission in person or who submitted written statements when it first commenced its investigation, were opposed to the establishment of a Board of Inspection, etc., I wish to call attention to the fact that in my brief for the real estate interests, filed with your Commission in 1912, I said: "A large number of the proposed bills embodying recommendations submitted to the New York State Factory Investigating Commission are practically building laws, and it would seem most essential to have separate laws covering such a city as New York and small places in the rest of the State. We have been striving for years to have "Home Rule" and we are being hampered all the time, in the City of New York, by a multiplicity of bills regulating us from Albany."

Also, "proper and fair regulation could be made for existing buildings for factory use when complied with and the Factory Commissioner might properly be given power to license these buildings under classes. One standard for certain restricted business, number of employees, etc., another standard for a broader range of occupancy."

I also corresponded with every Senator and Assemblyman in the State Legislature, protesting against the amendment to the Charter curtailing the powers of the Fire Commissioner and the

Fire Prevention Bureau in the City of New York, and putting these powers under the jurisdiction of the Labor Department.

Q. Mr. Kirkus, have you any examples or specific cases of duplication of orders on the same property? A. I have.

Q. Have you got them with you? A. No, sir.

Q. Will you let me have them? A. Yes, sir. At the present time the rules for fireproofing and fire resisting materials have not yet been made by the Industrial Board. The rules on sanitary provisions have not yet been made by the Industrial Board. I have some cases which I would prefer not to give you where they are distinctly conflicting, which I am holding up. I would ask the Commission to hold them out because we do not want to make a complaint. There are specific instances of mixing of jurisdiction, but we believe that the Commissioner and the Industrial Board will wipe them out when they have their rules made.

Q. In other words, you have called their attention to it and they are remedying it? A. Yes, sir; I have a specific case where an order has been given to alter toilets and I have an order from the Labor Department with an absolute dismissal of the order.

By Commissioner JACKSON:

Q. Absolute dismissal or being held in abeyance? A. Absolute dismissal.

By Mr. ELKUS:

Q. Will you give us that case? A. I would prefer not. I want to find out and ask the Department, "Do you insist on this order or do you stand by the order made last October?" it is only fair to them.

Q. Mr. Kirkus, you have heard the questions I have asked the Borough President; isn't it a fact that the principal complaint is that orders are given piece-meal? A. Yes, sir.

Q. And that is the real complaint and principal complaint? A. Yes, sir; I believe we are all getting together, sir. I believe you, as the Commission, the city officials, the Merchants' Association, the Real Estate Board and all want to get together so that this duplication will not continue.

Q. It is a wrong name to call it duplication? A. No, we get orders to put a fire escape on from the Fire Department. There are thousands of them — the Labor Department will give you an

order that if you have that fire escape you must do so and so. We say to them, all right, we do not ask for that fire escape as a means of exit, we will take it off. The Fire Department does not want it taken off?

Q. They say they want it for the firemen to get upon? A. Exactly. Then why should we be put to the additional expense of complying with the Labor Law? That I consider a duplication of orders.

Q. May be you call it by a different name, and you should not be put to that additional expense. Now this Commission, as you know, has acted with your various bodies in having the law changed and amended as was proper, and whenever you have come to us with a statement of facts we have always investigated them? A. Yes, sir.

A. A great majority of these cases could be avoided by the co-operation of the city departments? A. Exactly, with the State departments.

Q. The city itself, however, could co-operate and the State together and a little co-operation in giving out orders would solve most of the difficulty? A. Nine-tenths of the difficulty.

Q. That you say as a practical real estate man? A. Yes.

Q. Representing a large number of owners? A. Yes, sir. I am not speaking for real estate owners to-day, but I am a real estate owner.

Q. And without any legislation — there would not be required any legislation? A. I am afraid there will have to be an adjustment of the legislation.

Q. In what way? A. We haven't go to that quite. We will simplify that and ask you to consider it with us. There is no question that we will have to regulate some of these laws.

Q. Now you spoke about a general inspection board and that board you say would inspect and then report to the various departments of the city? A. No, this shall be — this is very hurriedly drawn — an examining and enforcing bureau.

Q. That board would examine; suppose to-day they wanted to find out if all doors in factories did open outwardly, that board would take it upon itself to make the inspections? A. No, an inspector comes from the Department of Labor and reports to this Bureau.

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Q. The city itself, however, could co-operate and the State together and a little co-operation in giving out orders would solve most of the difficulty? A. Nine-tenths of the difficulty.

Q. That you say as a practical real estate man? A. Yes.

Q. Representing a large number of owners? A. Yes, sir. I am not speaking for real estate owners to-day, but I am a real estate owner.

Q. And without any legislation — there would not be required any legislation? A. I am afraid there will have to be an adjustment of the legislation.

Q. In what way? A. We haven't go to that quite. We will simplify that and ask you to consider it with us. There is no question that we will have to regulate some of these laws.

Q. Now you spoke about a general inspection board and that board you say would inspect and then report to the various departments of the city? A. No, this shall be — this is very hurriedly drawn — an examining and enforcing bureau.

Q. That board would examine; suppose to-day they wanted to find out if all doors in factories did open outwardly, that board would take it upon itself to make the inspections? A. No, an inspector comes from the Department of Labor and reports to this Bureau.

Q. Then you would have the Labor Department still having its bureau of inspections? A. Yes, sir.

Q. And they would examine that building and say we find these doors opening inwardly and they ought not to, but instead of reporting back to their own department they would report to this new department? A. Yes, sir.

Q. And then this new department would send the inspector there and find out if that was so? A. No, this bureau would then immediately communicate with the other departments — have you any orders on that — we will send out one order on that door question for this reason —

Q. I understand your reasons; then this one department would not inspect at all, they would just inquire? A. Absolutely not.

Q. You have a sort of clearing house and instead of writing one to the other, would write to one individual who in turn would correspond with all the others; instead of the Building Department or Labor Department saying we are going to order the doors of Mr. So and So's building to open outwardly and writing a letter to all the other departments of the city and asking, what have you against this building, you would have them write to some other man who would in turn write to the different departments? A. Yes.

Q. So you would not abolish any department now in existence? A. No, I am not ready to suggest that.

Q. And you would not abolish any inspecting force of that department nor any enforcing force of that department? A. Yes, I would make this the enforcing force.

Q. Then you would have them enforcing a law as to all departments? A. Yes.

Q. Then they would have to have a separate force of men to see that the law was enforced? A. They can have that.

Q. That would mean more expense? A. Not necessarily. Supposing the enforcing bureau said we have received word that our orders have not been complied with, Mr. Building Department, Mr. Fire Department. Will you see that that order has been complied with and notify us. Understand, I have not yet worked this out, but an efficiency man would work it out.

Q. Wouldn't it be better, Mr. Kirkus, if you are going to have

this clearing house man report to all the departments and they are still going to keep all their inspectors, wouldn't it be better to order the inspector who inspected the place to see that that work was done? A. Yes, sir.

Q. The whole trouble comes from having this piece-meal ordering? A. Yes, sir.

Q. If this piece-meal ordering was done away with, and it can be done away with by co-operation, you say almost all the complaints of the operation of the law would vanish? A. Yes, sir, a large measure of the complaints of the operation of the law.

Q. There is no complaint substantially as to the laws themselves? A. Quite a number.

Q. You do complain about some of the laws? A. Yes, sir.

Q. You mean there should be a distinction between buildings and the purposes for which they are used? A. And also these specific laws.

Q. Which ones? A. I am not ready to say now.

Q. Will you send me a list of them? A. That is what I asked, that we get together on. It will take some time. Let me give one example.

Q. You mean the piece-meal orders? A. Yes. The Fire Department is sending verbal orders in regard to opening doors. The Labor Department is sending written orders of exactly the same thing.

Q. Now you see the Fire Department does not pay much for these inspections because they use the firemen? A. And it is an excellent way of inspecting.

Q. Mr. Hammitt tells me the Fire Department does not issue those orders any more? A. I am glad to hear it. We got eighty or ninety of them.

MR. HAMMITT: Such orders were issued verbally by members of the uniformed force who inspected monthly under a general order. That has been taken out of the general orders.

By Commissioner GOMPERS:

Q. Will you give the Commission the reason why you protested against the transfer of certain powers from the Fire Commissioner and Fire Prevention Bureau to the jurisdiction of the Labor

Department? A. Yes, sir, because we think that the Fire Department and Fire Prevention Bureau in the city of New York, which has more than half the inhabitants in the entire State, are much more cognizant of conditions in this city and we also have a fire department which exceeds the fire department of any part of the State and they are actually at work on this. A Fire Prevention Bureau was only created, if I remember right, possibly two years ago, and they were beginning to get to work when these laws were started up and we thought it a great pity to take it out of the department, which was already organized, and put it into another department.

Q. The reason was that the Fire Department could more effectively enforce existing law? A. Yes, in regard to fire prevention and fire department matters.

By Commissioner JACKSON:

Q. Mr. Kirkus, does the Fire Department and Fire Prevention Bureau operate to any extent towards the saving of life in factories and mercantile establishments in case of fire? A. I should think they would operate to the saving of life in every possible condition they could find.

Q. In case of fire? A. Yes, sir.

Q. Because that is the object of the law? A. And that is the object of the Fire Department. The Fire Prevention Bureau was created for that purpose, the Fire Prevention Bureau, which is for the means of saving life largely.

By Commissioner GOMPERS:

Q. You think the laws for the protection of life and property could be better enforced by the fire commissioners than by the Department of Labor? A. Yes, sir, because they are right on the ground.

Q. And that was your chief concern or rather the concern of your association, so that the law might be more effectively enforced? A. Yes, sir, and another thing, if we have anything to object to or talk over it is very easy to go to a city department and they are right on the spot. It is not so easy to go to a State department. They are not always on the spot.

Q. We have a very large department here? A. Yes, sir, they

have a deputy commissioner, but the deputy commissioner when you get to him and at the beginning of a new law says "there is the new law," and there has not been enough discretionary power given to the Commissioner or the Industrial Board in these matters.

By the CHAIRMAN:

Q. Has the Fire Commissioner discretionary power to say whether the law should be enforced or not? A. Not the law, but as to orders they have given before.

Q. Discretionary power as to the enforcement of the law? A. No, not as to the enforcement of the law but discretionary powers as to fire prevention and so on.

By Commissioner GOMPERS:

Q. You represented the Merchants' Association in this protest to the Legislature? A. No, sir, as I specifically stated the real estate interests.

Q. Representing the real estate interests you protested to the Legislature against the transfer of certain powers from the Fire Commissioner to the Labor Department? A. I sent out 366 letters from my office one afternoon.

Q. You sent these protests by direction of the real estate owners so that the law might be the better enforced for the safety of life? A. Yes, sir.

Q. Can you furnish the Commission with a copy of that protest? A. I think I have it.

Q. As one of the members of the Commission I should like to have a copy of that protest and see the grounds contained in the protest for its issuance? A. What I call my little brief, my little suggestions in regard to the law, I know your counsel has. That particular letter I do not know that I have but I know that it was sent to every Senator and every Assemblyman.

Q. The Senate or the Assembly has the good fortune that I am not a member and I would like to be in possession of the information. If you will do me the personal courtesy of sending me a copy of that protest, which is of course a public document sent to every Senator and Assemblyman, I should appreciate it very much.

A. It is two years ago. I think I have a copy. I shall be very glad to send you one.

Q. There is no question that a protest of this character you would have a copy of in your office. I do not think I have ever issued a written or printed protest of which I can not find a copy somewhere. A. Yes, sir.

Mr. ELKUS: I think the Commission should insist on getting from President Marks the names of those firms that threatened to move out on account of the laws.

Recess.

Hon. JOHN J. MURPHY (Commissioner, Tenement House Department) addressed the Commission:

By Mr. ELKUS:

Q. Commissioner will you be kind enough to state what department of the city government you are the head of and how long you have been that? A. Tenement House Department; four years and five months.

Q. Commissioner, you have given this subject of inspection of buildings considerable thought and study not only for this hearing but for prior hearings of the Factory Commission? A. Yes, sir.

Q. Will you be kind enough to give us your views upon this subject; you have the questionnaire with you, haven't you? A. Yes. In answer to question one I only have the ordinary citizen's knowledge in regard to the matter and I would say there does not seem to me to be any reason why there ought to be a separate department of labor for the city of New York and one for the rest of the State.

Q. Now, before you answer the next question about inspections; you have a force of inspectors in your department? A. Yes, sir.

Q. And they make a great many inspections during the year? A. Yes, sir.

Q. And you enforce the orders which are made by reason of their reports? A. Yes, sir.

Q. So that you have a great deal of experience both in making inspections and in enforcing the result of those inspections?

A. Yes. The Tenement House Department is almost entirely a department of inspection. We do nothing but inspect and issue orders based upon such inspection.

Q. I want to bring out that you were particularly qualified to discuss this matter? A. We have about 250 inspectors. When I noticed in the papers that the subject of duplication of inspection and conflict of inspections was attracting public attention I had an investigation made of our complaints to find out whether the department had been in receipt of any complaints on the subject and I was not able to find more than two complaints in the last four years.

Q. Two? A. Two.

Q. Out of how many inspections? A. In the neighborhood of one hundred thousand. We have 100,000 tenement houses in the city of New York and every one is inspected at least once a year.

Q. So that would be 400,000 in four years? A. The case that I am referring to is where orders were issued by the department in relation to bakeries and where certain ventilating orders on the same bakeries were issued by the Department of Factory Inspection. I communicated with Commissioner Lynch and my first deputy commissioner had an interview with Superintendent O'Leary and the matter was adjusted so that I do not think any future conflict is likely to happen on that score.

By the CHAIRMAN:

Q. Commissioner, how do you account for this constant talk about multiplicity and duplication and all that sort of thing that we hear and are able to get so very few specific cases on? A. Of course I have confined my investigation to the working of my own department. This department was organized originally for the purpose of concentrating all responsibility in regard to tenement houses in a single department so as to avoid at that time in relation to tenement houses something of the complaint which is now being made in regard to other houses. Whether the orders of other departments conflict among themselves or not, I do not know. I assume, however, that instances, or rather the existence of this feeling is similar to the sentiment that always arises whenever an attempt is made to regulate private property; that it isn't so much a conflict of orders as the fact than any orders are issued.

By Mr. ELKUS:

Q. You mean as new laws are going into effect or being enforced for the first time? A. Absolutely.

Q. And was the same thing true in the tenement house department? A. I think much more so.

Q. The same number of complaints about duplications? A. Of course I was not in at the beginning, Mr. Elkus. Mr. Veiller would know about that.

Q. You can ascertain the facts in relation to that? A. Yes, sir.

By Commissioner GOMPERS:

Q. Before you leave section one of this questionnaire I would like to ask a question — I do not want to interfere with Counsel's questioning —

Mr. ELKUS: Go right ahead, Commissioner Gompers?

Q. I thought I understood you to say you favored a separate department of labor for the city of New York and another for the State? A. No sir, I said I did not see any reason why there should be two departments.

Commissioner GOMPERS: I might say that while it is true that in the city of New York there is a larger proportion and number of industries than in the rest of the State, yet there are factories and workshops and mercantile establishments in the remainder of the State, and the separation of the departments or the establishment of two departments each of which might follow a certain policy, certain sympathy, certain antipathy that would establish two distinct features of the administration of a general law, which would apply to the State, and operate to the advantage of one and the disadvantage of another, and create general confusion.

By Mr. ELKUS:

Q. Now will you proceed, Commissioner, answering the second question? A. I believe that the system of having each department charged with the enforcement of specific laws, having its own inspection force, is the only way in which laws can be adequately enforced. I believe, however, that every Commissioner endeavors to find out whether there is conflict between his department and other departments. I know that the first action that I took myself

after coming into the Tenement House Department was to have a conference with the building superintendents of all the boroughs for the purpose of finding out if there were any points at which we were in conflict and since that time there has been no friction between those officials and the work of the Tenement House Department.

Q. Would you say, Commissioner, then, that if there were these conferences between these departments of the city that have to do with buildings that a great deal of these complaints such as there are now would be done away with? A. I think they could be absolutely.

Q. Absolutely done away with? A. Yes, sir.

Q. Without any legislation at all? A. Without any legislation.

Q. If the city departments would co-operate and then would confer with the State Department of Labor, it could all be smoothed out and done away with? A. I think so.

Q. Now about the third question. I think you have answered that in your first one? A. Yes.

Q. Now have you any other suggestions to make in this matter from your experience and knowledge of the subject? A. Certain ideas came into my mind in listening to the examinations this morning in regard to the question of a general bureau of inspection. It seems to me that that runs counter to all modern development in industry. We are in an age of specialization. Every factory divides up its work. It seems to me that the city must do the same thing because it could not get inspectors who were competent to inspect buildings for all the laws passed in regard to them without paying very much higher prices than inspectors now command. Although about 150 out of the 250 inspectors in the Tenement House Department are men who were mechanics before they came into the department we can not let them out alone to make inspections for at least three months after their appointment, and a man is not thoroughly qualified to be an inspector, independently, much under six to nine months, and I take it it would be a very long and tedious process to prepare inspectors for general inspection work if it takes that length of time to prepare them for the enforcement of the provisions of one law, so that I feel that it is only by this specialization that we can get fairly intelligent inspection work.

Q. Now take in your own department, do you have to have specialists to do different kinds of inspecting? A. No, we have a new building bureau and an old building bureau. The inspectors are chosen at the same examination and we select the men after they come in the department because of special individual qualifications for the work that they are called upon to do, but one man is trained to inspect a whole house which he visits for all the provisions of the tenement house law.

Q. Now is there anything further, Commissioner, that you would like to tell us? A. I do not think of anything else. I shall be glad to send you a memorandum on those points.

Mr. ELKUS: We would be very glad to have that because of your broad experience in this subject of inspections. Any questions Mr. Chairman?

Mr. GEORGE W. OLVANY: I represent the Real Estate Board of New York and I should like to ask one question of the Commissioner.

By Mr. OLVANY:

Q. If the building is occupied as a factory and also by three separate families would your department or the Labor Department have jurisdiction? A. The Tenement House Department has jurisdiction over all buildings or parts of buildings occupied by three families or more living independently of each other and doing their own cooking on the premises. Therefore that whole building would be under the jurisdiction of the Tenement House Department. On the other hand if a part of that building should be used as a factory and special requirements were made for factory purposes, and those requirements did not conflict in any way with the requirements of the Tenement House Law, I should not think we would have any right to object to their being enforced.

Q. Suppose they did conflict? A. If they did we would endeavor to sustain the Tenement House Law.

Q. For instance, the Tenement House Law, does not require the fireproofing of windows on fire escapes? A. No.

Q. And the factory law does? A. But the Tenement House Law does not prohibit the fireproofing of windows on fire escapes.

Mr. ELKUS: There is no conflict.

The WITNESS: No conflict.

Q. Now, if the fire prevention bureau issued an order to fireproof the windows on all floors where there are fire escapes you would not have to fireproof the windows on the dwelling part? A. I should think you would.

Q. You would not be in favor of that? A. As the Tenement House Law does not prohibit putting wire glass in windows fronting on a fire escape I do not think we would have any right to prohibit them. There is not the slightest doubt that such protection would tend to make the fire escapes better means of escape because danger does arise where a fire breaks out on lower floors in buildings and put the fire escape perhaps not out of use but still makes its use very hazardous.

Q. Don't you think it would be a great hardship on tenants to compel them to look through wire glass all the time when looking on the street? A. Inasmuch as those windows are only on fire escapes I am not so sure that the hardship would be so great, but not having given that consideration before to-day I would not like to express an opinion upon it.

Q. Does the Tenement House Commissioner require ladders to be used on fire escapes? A. Yes sir, drop ladders.

Q. Do you know that the Labor Department requires stairways? A. I don't know.

Q. Do you know whether the rules of the Labor Department are the same as the Tenement House Department in reference to stairways? A. I think they are not. We merely are considering buildings for ordinary occupancy.

Q. So therefore there might be a serious conflict between your Department and the Labor Department if the laws of the both departments are not uniform? A. It is quite possible.

Mr. SHUMWAY: (American Real Estate Company) I would like to ask if in the Commissioner's opinion a fireproof apartment house — I mean fireproof in the general sense of the term, fireproof floors, fireproof ceilings, floor arches, terra cotta tile partitions, in which there was located on the first floor a store 20 feet front and 30 feet deep, occupied by a dealer in ladies' clothes who finds it necessary to have a cutter and a fitter in the rear part of

his store for alteration purposes, whether or not the Tenement House Law, does not sufficiently protect life without applying the Labor Law to that first story condition.

Mr. MURPHY: I do not consider myself qualified to answer. That is something which has been taken up by people who have been looking into the matter of factory legislation and I try as far as possible to limit my expression to things that I know about.

Mr. ELKUS: Please take that up when we have a hearing on the codification of the Labor Law. That is where that will come in.

By Mr. OLVANY:

Q. Commissioner, I would like to ask you if you believe in the fireproofing of stairways in tenement houses?

Mr. ELKUS: We are not discussing those subjects. We are limiting this to one subject and we will have a hearing on that subject.

Mr. OLVANY: This is the only question.

A. We absolutely require it in all new buildings.

Q. Fireproofed but not enclosed? A. They are absolutely enclosed in fireproof walls with self-closing fireproof doors and metal stairs with stone or metal treads.

Mr. LAWRENCE VEILLER addressed the Commission:

By Mr. ELKUS:

Q. Mr. Veiller, what is your present profession and occupation? A. I am what is known as a Social Worker, Mr. Elkus.

Q. Were you formerly connected with the Tenement House Department? A. Yes, I was First Deputy Commissioner of the Tenement House Department at its inception.

Q. For how many years? A. Two years.

Q. And you were secretary of the Tenement House Commission? A. Yes, appointed by the Governor.

Q. Which investigated conditions and then the statute was passed? A. Yes.

Q. And you have made a study of tenement house conditions and their inspection in this city? A. For twenty years past.

Q. And you are familiar with the whole subject of inspection of factories and mercantile buildings? A. I wouldn't say the whole subject, but I am pretty familiar with the subject.

Q. You acted as one of the Advisory Committee in codifying the law and you have studied these subjects very carefully? A. Yes, sir.

Q. Mr. Veiller, you have studied this questionnaire issued by the Commission and we would be very glad to have your views upon the whole subject with such facts or suggestions as you want to give us from your knowledge and experience on the subject? A. Mr. Chairman, I would like to touch on some of the subjects that have been discussed by some of the previous witnesses.

Q. Take it up in your own way. A. In the first place I want to congratulate the Commission in taking up this question. I think it is a very important and timely question, and there is undoubtedly a good deal of basis on the part of the property owner for complaint and criticism. On the other hand I want to emphasize the point of view which Commissioner Lynch brought out when he testified this morning, and which Commissioner Murphy has just called attention to, namely, that there is probably a great deal of this criticism and complaint that is due to a disinclination on the part of property owners to comply with the factory laws, and it isn't so much that there is any conflict or that there are unnecessary orders as that they object very naturally to spending money on improving their property and to be called upon to comply with provisions of laws many of which have been on the statute books for twenty or thirty years, and they never have had to comply with them before. This Commission, as it is plainly intending to do, should thoroughly sift out all that and get right down to bed rock to find out by specific cases just what the difficulty is. There is no other way. Hot air will not help you a bit, but you should have the exact, specific cases, the actual orders that have been issued to every property owner from various city and State departments where there is

conflict or where departments piece-meal one order, setting aside the other. I suggest as a practical way of doing that that this Commission issue a letter of invitation to every factory owner and tenant in the City of New York besides having that published in the news papers and have it published in such organs as the Real Estate Record and Guide, which many of them are reading very carefully, inviting property owners to transmit to you in writing, not to take the time to come to you at a public hearing, because many of them will not take the time.

Q. We have done that very thing? A. Then you have done what I suggest.

Q. We thought we gave it pretty wide publicity and we asked that the information be sent to the Commission, not asking them to come here, and as I said this morning, perhaps you were not here when I said it, we received no response whatever; not a single complaint was sent to us; up to this time we haven't received a single complaint of a specific instance? A. I think you will find when you get right down to the basic facts that there are very few specific instances where there have been conflicting orders. The next point I should like to call to your attention is that you should distinguish very carefully between multiplicity of inspections of the same building and conflict. Now if anyone has the idea that in a city of five million inhabitants, like the City of New York, with the diversified classes of buildings we have here you can do away with multiplicity of inspections he might as well forget that right now; as long as you have these regulative statutes and the necessity for them you are bound to have a number of inspectors going into the same building. I would like to illustrate that briefly. Let's take the case of the Building Department, one single department. There isn't a building put up in the City of New York to-day of any size where there are not three different inspectors going into that building from the Building Department alone, and there can not be anything different because the building trade is so highly specialized an industry that inspectors who have to inspect the construction of buildings have to be just as highly specialized. Now in an ordinary office building or hotel more than three different inspectors do go there from the Building Department, a

plumbing inspector, and an iron and steel man, and an ordinary general district inspector, and you cannot hire, you cannot employ, the State of New York cannot get men who can do both the iron and steel inspection and the plumbing and they cannot get men who can do the plumbing and the ordinary district work.

Q. How about elevator inspectors? A. They have a host of others. I am giving the three main ones. Then they take the ordinary district inspectors and specialize on fire escapes. They have a small squad, because for the very reason that it has been found that division of labor is advantageous and the inspection department has found it advantageous.

Q. And it is not given to any one man to know all? A. No, sir.

Q. And that is in one department? A. Three or four in one department. You cannot do anything else, and I am quite sure if you get Mr. Miller or Mr. Carlin on the stand they will tell you the same thing. The good inspector must be a practical man to inspect iron and steel. He must have worked on it. A man cannot tell whether a joint is wiped properly unless he has wiped a joint. He cannot tell whether pipes are trapped properly unless he has been in the plumbing trade, so that I think the Commission should know in these main departments it is humanly impossible to do away with the multiplicity of inspections. Now the thing they ought to set themselves to do, and ask themselves is this: Are there two inspectors or more going to one building about the same subject-matter and giving orders about that same thing. If that is so, that ought to be stopped. That is absolutely unnecessary. In other words, if the fire prevention bureau goes into a building and gives an order about exits, and the Labor Department goes into that factory and gives an order about the same kind of exits that should be stopped, and you can devise a way of stopping that, and I believe there is conflict between the three different departments, the Labor Department, the Fire Prevention Bureau, and the Building Department, the Building Department chiefly in new buildings and the other two chiefly in old buildings, and the method of eliminating that conflict is a very big question. It is very easy to say this is unnecessary, but when you come down to providing a constructive scheme that

will not be too expensive and that will work and make for efficiency, it is more difficult. If you want that kind of suggestion I will make one for what it is worth. It is like all men's opinions, only worth what opinions are worth. It seems a little radical at first, but my suggestion is this: I think we can assume safely you are always going to have a Tenement House Department in the city of New York, in view of the fact that you have 100,000 tenement houses, and that is a big enough job for one city department to regulate. I think with the recent trend we can safely assume there is always going to be a Fire Prevention Bureau or similar bureau, that is some department, that is going to make it its business to prevent fires. We will always have that in the city, and of course we must also assume that there is always going to be a Health Department. Now, if we admit these three assumptions my suggestion is for you to consider whether we cannot get back to the conditions we had in this city some years ago and restore to the Fire Department most of the jurisdiction which the Building Department now exercises. If we did that we would have no conflict between the Building Department and the Fire Prevention Bureau, as there would be but one department. That is not a new idea.

Q. I asked a question about that this morning? A. I think it would be interesting to tell you the history of our Building Department. Up to 1844 in New York City the building laws were enforced by the fire wardens. They were political appointees. The division was a political one. Then in 1844 the fire wardens were abolished and the work was put into the police department. Even then they talked of socializing the police. In 1849 they took away those powers from the police department and put them into the fire department, vesting the powers of building inspection in the assistant engineers. They stayed there for thirteen years. The fire department did all the building inspection of the city for all those thirteen years. Then in 1862 they created a new department known as the department for the survey and inspection of buildings, whose chief function was to do very much what the Building Department is doing to-day, and they also went around and looked after the old buildings and had them improved from the point of view of safety and fire danger. There it staid for

eighteen years, until 1880. Then the Building Department was again abolished and the functions were put back in the Fire Department, where they staid until 1892, for twelve years more. Then, in 1892, they were taken out of the Fire Department, a new department of buildings was again created, and they staid there for ten years. Then, in 1902, they broke up the centralized building department and created a bureau of buildings under each borough president. That, in a word, is the history of the building department of the city of New York, and my suggestion is a radical one, but I think a practical one, and if you will analyze the building laws and you eliminate plumbing, which should be in the health department where it was until 1892, and where it is in most cities, if you will eliminate that and then analyze the building laws you will find there is nothing in them that isn't a fire regulation — the thickness of walls, the distance of beams on centers, the bearing of a beam on a wall, are all from the point of view of making the building safer in case of fire.

Q. In many of the cities up the State the fire marshal decides?

A. Yes, sir; and throughout the United States. Now you may ask why do you suggest abolishing the Building Department and merging this into the Fire Department? For two reasons; first, to abolish conflict. You might say, why not abolish the Fire Prevention Bureau and put it in the Building Department? I will answer that. The man who is to administer the department must have wide experience to administer the laws he is to administer. Now the building inspector never goes into a building after it is occupied with the exception of an unsafe building which may be in danger of falling and injuring the passer-by. The ordinary building inspector does not go in it after it is occupied. He does not see the dangerous conditions. The fireman, however, is in the building whenever there is a fire. The opportunity is there for him to know how every building in his district is constructed. That knowledge may mean the saving of the lives at a fire of a company of firemen.

The department in the long run that is best fitted to enforce any given set of laws is that department the officials of which have a direct incentive constantly to enforce such laws for the benefit of the community. For this reason our Building Laws should be enforced by the Fire Department and by the Health

Department respectively, and not by a Building Department. The officials of the Fire Department, as I have pointed out, have a direct incentive to have the laws properly enforced because if not properly enforced, the lives of the firemen will be endangered.

Similarly, it is better to have the enforcement of the plumbing regulations of a city lodged in the Health Department, because the Health Commissioner and his subordinates will always have a direct incentive to insure the enforcement of such regulations. The reputation of the head of the Health Department, the Commissioner, is based on securing a low death rate and he knows that if bad plumbing is permitted, the death rate will rise. It is to his interest, therefore, to see that the laws that are enacted to protect the health of the community by forbidding improper plumbing are strictly enforced.

In a Building Department, however, there is no such incentive, but on the contrary the head of that department is constantly subjected to pressure from the building interests, with which he is closely allied, to let up on the enforcement of this or that provision. The head of the Building Department is generally a builder or an architect. In New York this is required by the charter. Being a builder or an architect, he usually asks himself when passing upon important questions, "How is this going to affect the building interests?" not "How is it going to affect the health or safety of the community?"

I do not mean to say that he consciously does this always. Very often it is an unconscious attitude of mind on his part but it is almost invariably the attitude of most Superintendents of Buildings. This is a very natural point of view. When he is through his work in the department at the end of three or four years he must go back to the building trade and earn his living as a builder or as an architect and he must therefore keep the good will of the building community.

Now to go back to the Fire Department. If the Fire Department enforced the building laws they would not be influenced by these considerations. They would not feel that they had to protect the building interests but they would feel that the important consideration was for them to protect the lives of the firemen and of the people who occupy the buildings in question;

they won't stand for the protection of this builder class because it will endanger the lives of firemen when they face fires whereas the ordinary building superintendent doesn't care a rap about that but says how is this going to affect the building trade, the building industry. It seems to me that is rather an important consideration. Now so far as the conflict between the Labor Department and Fire Prevention Bureau goes, I think it was a mistake to place the enforcement of the fire provisions of the Labor Law in the Labor Department.

By Commissioner GOMPERS:

Q. You don't mean to say that the building inspector does not care a rap for the lives of the firemen? A. Does not think of it.

Q. It isn't the dominating thought? A. Some of them don't care a rap, but many of them don't think about it.

By Mr. ELKUS:

Q. Now you heard Borough President Marks this morning about his separate bureau of inspection? A. Yes.

Q. Did you hear his testimony? A. I did hear his testimony.

Q. What have you to say about his plan? A. Absolutely impossible from a practical point of view. No man who has been at the head of a regulative department of this city would consider it for a moment. It is not a case of one inspection made on the first of January and then a prosecution. That inspection is only the initial proceeding in the enforcement of the law and before a successful prosecution is had in many cases there may be twenty inspections of that house by the same man to verify this point. Let me illustrate it. You are the head of the Tenement House Department we will say. I am an owner. I come in there and say I object to this order, it is unnecessary, it is improper, or that there are practical difficulties in the way. As head of the department you want to send one of your own men in whom you have confidence, whose integrity you trust, whose judgment you trust, whose intelligence you trust, to go to that particularly complicated case, examine it and make you a report and tell you what the facts are before you are willing to prosecute. Now unless you can rely on the credibility and accuracy of your own witness you are not going to ask the Corporation Counsel to

arrest the man, take him into the police court, or prosecute him for a penalty. That is one of the things that I say must be considered, the differentiation in the kinds of inspection.

Q. Have you made any investigation yourself of the complaint and agitation that is going on now about — I want to call your attention to what Commissioner Murphy said that in his opinion a great many of the complaints which have been made, some of which undoubtedly have justification which deserve sympathy, are due to the fact that we are enforcing laws which have now been enforced for the first time although they have been on the statute books for some time and also enforcing new laws, what have you to say about that? A. My view coincides exactly with Commissioner Murphy's views, in this matter.

Q. Did you have the same thing in the Tenement House Department? A. We almost had riots. That was twelve years ago. Of course, it is natural.

Q. Of course it is desirable to avoid what is complained of in the way of orders and inspections; have you any suggestions as to how that could be done away with? A. Yes, I think there are several ways. In the first place, I think if you gentlemen in all your other discussions could ask the witnesses to separate the questions into two main divisions, that is the discussion of what may be called structural changes compelled in factories as distinguished from the maintenance in factories of sanitary conditions, you will find that most of these objections are with regard to changes made in the physical buildings. Now when such changes are made once they ought to be made for all time and the practical way to take that up is to do it district by district. I do not know how the Labor Department is taking it up. I know that was the question we had to face in the Tenement Department. Shall we pay attention to citizens complaints as they come in sporadically, scattered all over the city, with regard to these structural changes, or shall we pay no attention to them and take them up district by district so that one property owner shall get the same treatment as his neighbor. We decided to take them up district by district. Now it will also be possible by a system of co-operation to take them up at the same time — it will be possible for the Labor Department to arrange with the Fire Prevention Bureau, with the Tenement Department, with

the Health Department, to say we are working in the eighth district and we are going to start next month to issue our orders there, can you arrange to issue your orders at the same time so that the owner will know whether it is cheaper to close up his buildings or make the repairs, because some times it is cheaper to close his building. That is a perfectly practicable thing and co-operation will eliminate ninety per cent. of all of this trouble.

Q. Is there anything further you would like to say about these matters? A. I think the permanent board is an admirable thing. I do not think it ought to be a matter of statute.

Q. A permanent conference board? A. Yes, sir.

THE CHAIRMAN: I was going to ask whether that should be a matter of statute or matter of co-operation between the departments?

THE WITNESS: I think it ought to be a matter of co-operation between the departments.

Q. So that as I understand you no legislation is necessary, but a little common sense and co-operation? A. Yes. There may be some. It seems foolish for the Police Department to inspect boilers, for instance. That ought to be transferred to the department inspecting buildings, and there might be a few legislative changes necessary, but the main thing can be done by sensible arrangement and by some one on the job to really save every complaint of conflicting orders.

MR. ELKUS: Is there any other question any gentleman desires to ask?

MR. JOSEPH S. SCHWAB (State Tax Commissioner): I represent the Real Estate Owners' Protective Association. Is there any reason why a change in the law should not be made and have this Factory Commission use their influence to separate the Tenement House Department from having jurisdiction over properties having three or more flats? We understand that the Tenement House Law that was enacted in 1901 was done in order to get away with sickness, bad conditions, dark rooms and a multitude of other ills and afflictions that beset tenement houses. I would like to ask if in your judgment now the time has not arrived when

there should be an absolute divorce of properties — for instance a five, six or ten million dollar property is called by a fiction of the law a tenement house. Do you not think at this time it is right for a division to be made in the form of some recommendation in the Tenement House Law, a change in that respect.

MR. VEILLER: Mr. Chairman, it is not germane to the hearing but I am willing to answer it.

MR. ELKUS: It is hardly germane to the subject under inquiry.

MR. VEILLER: My answer, Mr. Commissioner, is that I do not think so, that the Tenement House Law was not enacted only to remove sickness and ventilation and dark rooms, but to look after the living conditions of all people living in what is known as multiple dwellings, and the Tenement House Law has found it necessary since 1879 to look after all houses with three families or more and I do not think that any such backward step should be taken, especially as all progressive cities, Chicago, Cleveland and Columbus and others are extending the law to two family houses.

MR. SCHWAB: You of course understand that when the law was enacted in 1901 it was done with a view of doing away with evil conditions in toilet rooms, school sinks, dark halls and rooms that had a tendency to bring on tuberculosis and sickness and things of that kind. Now that the age of progress has taken a hold and there are a great many buildings such as the fine buildings which you are designating under that law as a tenement house, for instance — there are buildings with over three families that might cost, as I said, two, three, four or five million dollars and yet under the fiction of the law it is called a tenement house; isn't that term rather abhorrent, don't you think?

MR. VEILLER: I think a lot of people object to the term but I think that class of building ought to be under the same regulations as that of the poor man.

MR. SCHWAB: Don't you think that inasmuch as you have made a recommendation that the Health Department take charge of the plumbing, isn't it just possible that the Health Law, or perhaps

the Building Department, or, if you object to the Building Department, the Fire Prevention Bureau or some other — other than the Tenement-House proper — take jurisdiction over these higher grade of flats. This is a question that has troubled the property owners in New York a long while. You may not know it, Mr. Commissioner, but there has been a great deal of worry in regard to this distinction. They feel that in the high-grade residences or apartments they should not be molested with the general tactics that are ample for the purposes of inspection, good, bad or otherwise, in so far as the tenement-house property is concerned. I am trying to get from Mr. Veiller a way to see if there cannot be some way to make this distinction.

MR. ELKUS: We hardly have anything to do with that subject; we have about twenty people here waiting to be heard.

MR. SCHWAB: I am ready to cease now. I only want to throw that out for what it is worth, but I would say I would make that recommendation. If you gentlemen would go at that it might be a very fortunate thing in the interest of property owners who feel very keenly on that. It may not be your opinion that that is so, but it is so.

Commissioner GOMPERS: The pertinency of the matter you mention is not quite evident, but the Commission is endeavoring to ascertain today the opinion of gentlemen qualified to answer as to the administration of existing law and to simplify it so as to avoid —

MR. SCHWAB: I understand that, Commissioner, and that is the reason why it may not be pertinent to the issue. I thought it might be a thing that the Commission ought to know, and if there are any recommendations it might be taken up for consideration.

MR. LAURENCE M. D. MCGUIRE (President Real Estate Board of New York): In your studies of the general conditions, both in this city and the other cities, have you ever made up any data as to the cost of inspection?

MR. VEILLER: I have not.

Mr. McGUIRE: You have never gone into that?

Mr. VEILLER: You mean the cost of inspection to the city on a unit of cost basis?

Mr. McGUIRE: Also per building or per capita.

Mr. VEILLER: I have never done it; I think it would be very valuable.

Mr. McGUIRE: Would you think, Mr. Veiller, that the general cost to the City of New York of inspection, allowing, of course, that you have never made data as to the cost, would you say it was being done economically?

Mr. VEILLER: That is a pretty sweeping question.

Mr. McGUIRE: You say, in your opinion, Mr. Marks' testimony this morning and his idea of the situation was not practicable; I didn't gather from what you said why it isn't practicable.

Mr. VEILLER: I tried to make plain that the head of a department, in enforcing the law, who is going into court, must rely upon the report of his own employee whom he has control of. Otherwise he cannot be responsible.

Mr. McGUIRE: Then the only difficulty would be in the matter of prosecution, where the work is not done; is that the only difficulty?

Mr. VEILLER: I would distinguish between prosecution and enforcement.

Mr. McGUIRE: Sometimes you have a prosecution in force?

Mr. VEILLER: Sometimes.

Mr. McGUIRE: Then it really is prosecution?

Mr. VEILLER: In some departments 90 per cent. of enforcements is not prosecution, but is sometimes bluff. Very often there is a prosecution; so I would distinguish between the two. I would not say that was the only difficulty, but a large part of the difficulty.

Mr. McGUIRE: You haven't had a single instance brought to your notice of absolute conflict as between departments, have you?

Mr. VEILLER: I haven't had a specific case brought, but I have no doubt that some exist.

Mr. McGUIRE: Would you say, Mr. Veiller, that in a tenement-house where there is one tenant taking in sewing — allowing always it is a cleanly premises, etc. — would you say that house ought to be under the jurisdiction of the State Labor Department?

Mr. VEILLER: Let me see if I get your question right; assume a tenement-house with twelve families — you mean a dress-making establishment?

Mr. McGUIRE: No; a tenement-house where they bring in trousers and so on.

Mr. VEILLER: No; I think that should not be allowed at all. It should be abolished.

Mr. McGUIRE: Without regard to the premises and the way they are maintained?

Mr. VEILLER: Absolutely; there should be no factories in tenement-houses.

Mr. McGUIRE: Following that same line, in the store of a tenement-house where a tailor on the ground floor is mainly pressing clothes and doing general repair work, that should be prohibited?

Mr. VEILLER: No; I think the definition of factory at the present time is very unfair; I think it should differentiate between the larger and the smaller in the industry.

Mr. McGUIRE: Do you think if Mr. Marks, or some other gentleman who has had practical rather than theoretical experience, could show you that the general inspection in the City of New York could be done more efficiently at 50 per cent. of what is now being paid, do you think it would be possible —

Mr. VEILLER: Under existing laws and methods of municipal organizations, no.

Mr. MCGUIRE: I do not say under existing laws, but reforming the law — at 50 per cent.

Mr. VEILLER: If you will cut the red tape and the civil service laws and the difficulty of getting rid of employees, certainly you can do it.

Mr. MCGUIRE: Am I fair to deduct from that that we are paying 50 per cent. more than is necessary?

Mr. VEILLER: I think you are in a great many other directions.

Mr. MCGUIRE: And in this particular direction you are willing to agree with me that we are.

Mr. VEILLER: With that qualification.

Mr. ELKUS: That is, if we could get rid of the Civil Service Law?

Mr. VEILLER: If we could get rid of the Civil Service Law and other matters that interfere with the efficiency of the head of a department.

Mr. MCGUIRE: Now, coming back to the remarks of Mr. Marks, has it ever come to your mind that we might have a department in the State — say a public welfare department, or whatever you care to call it — and amalgamate all the different departments and produce more efficiency and better results at a less price?

Mr. VEILLER: I should say it had often occurred to me that you could have a welfare department amalgamating all these departments and others but I think you would have less efficiency. It is a question of the size of the job and in a city of five million people with all the functions involved in the various departments you have to divide in order to get results. Now just one illustration. You won't get high grade men to take the headship of subordinate bureaus in a department when you would get a high grade man to take the headship of a department. That is simply one illustration.

Mr. MCGUIRE: But isn't it true, in the same ratio, a few years ago, not very many years ago, it was not considered possible to sell a great variation of goods and merchandise under one roof?

Mr. VEILLER: Yes, sir.

Mr. MCGUIRE: But it is being done now, isn't it?

Mr. VEILLER: Yes sir, many things years ago called impossible are being done now.

Mr. MCGUIRE: Hasn't civilization advanced and haven't we taken on wholesale jobs?

Mr. VEILLER: Yes we are always taking on wholesale jobs. Public service is not comparable with private business. The private business man is buying in the cheapest market and selling in the dearest. I do not think the analogy holds.

Mr. MCGUIRE: Any objection to the city going into that same thing; doing the same thing if it will make for saving?

Mr. VEILLER: No objection but there is nothing to compete with.

Mr. MCGUIRE: There seems to be a good deal of competition between the departments just now for jurisdiction.

Mr. VEILLER: I haven't noticed any. If you have some specific cases it would be interesting. I have listened here all day.

Mr. MCGUIRE: I will give you a specific case; a tenement house in which there are 24 tenants; two of those tenants are taking in sewing; the Labor Department enters that house and orders every room and all of the rooms throughout the entire house repainted; three of the apartments are vacant and have been vacant a month. Those three apartments had been done when the tenants vacated, had just been painted. It was satisfactory to the Tenement House Department and two days previously had got a clean bill of health.

Mr. VEILLER: I think that is conflicting and ought to be stopped absolutely.

Mr. MCGUIRE: There is no need of encumbering this record and going into the conflict between the Labor Department and the

fire prevention bureau at this time but to go to the crux of the thing, don't you think, Mr. Veiller, that any legislation that is attempted should be with a view to doing the work with the greatest efficiency at the lowest possible cost.

Mr. ELKUS: Everybody agrees to that; you don't need to ask a question about that.

Mr. VEILLER: Absolutely.

Mr. MCGUIRE: The point I want to make and get on the record is this, that under existing conditions we are paying at least fifty per cent. more in the city of New York for general inspection than it is necessary to pay and we are not getting as efficiently served. We ought to deduct half the price, and that is because the State and the city are in conflict. What applies to the balance of the State does not apply to New York, and further legislation along these lines should be made eliminating the Greater City of New York and whatever jurisdiction the State Factory Department should have should be outside of the city of New York.

Mr. ELKUS: You would have a separate labor department for the State?

Mr. MCGUIRE: Not a separate labor department; one general public department of public welfare or whatever you may call it.

Commissioner GOMPERS: Is the trend of your question a statement toward economy to the city of New York or to the greater efficiency in the effective enforcement of the laws of the State and the city?

Mr. MCGUIRE: May I answer that by saying that I would in all instances subordinate economy to efficiency.

Hon. WILLIAM WILLIAMS (Commissioner of Water Supply, Gas and Electricity) addressed the Commission:

By Mr. ELKUS:

Q. You are at the head of what department? A. Of the Department of Water Supply, Gas and Electricity since February 1.

Q. Now Commissioner have you read this statement issued by

the Commission of the purposes of this hearing? A. Yes, I received it only Saturday morning, I should add, but I have read it.

Q. We would be very glad to hear what you have to say about it? A. My views as to question number one would be of no value, so I will not give them. My views as to question number two; I am satisfied in the light of my present information that it would be impracticable to establish a single bureau of inspection whose function it would be to inspect all the establishments therein mentioned. I agree with what Mr. Murphy and Mr. Veiller said on that subject. It requires special, trained experts, to do the various classes of inspection work. It is useless for me to elaborate on what has heretofore been said on that subject. There has not been any great disagreement of opinion. My answer to number three is no. As to number five, "what suggestions have you tending to lessen or do away with the duplication of inspections in the City of New York," there is apparently very little duplication of inspection. I have been learning a great deal by listening here this morning. When I first came here I confess I thought there was, but since no facts have been adduced tending to show there is any substantial duplication, I am constrained to think there is little or none. People are constantly confounding multiplicity of inspections with duplication. Again I refer to what Mr. Veiller said on that subject, and I agree. The electricity side is only a portion of the work of my Department and I do not pretend within three months time to have mastered even the larger features of it, but I want to say this, that the electricity bureau does not come in contact with the individual to any very great extent. It comes into a great deal of contact with all of the other departments, owing to the requirements of section 469 of the charter. There is perhaps some duplication of work between our Department and the Board of Education. This last named board has its own engineers and architects, but the Finance Department will not pass the bills unless we have approved them.

Q. Is there anything further, Commissioner, that you would like to tell us about? A. I heartily approve, as I said to you this morning before the meeting opened, of the desirability and necessity of conferences between city officials. Whether or not as a result of those conferences it could be made to appear that some legislation were necessary I cannot at this time say.

Q. You think co-operation between the departments will do away with most of the things complained of, Commissioner?

A. Well, it will not do away with the multiplicity of inspections, but I think that is inherent in the situation in New York. I will, however, put it this way, I do not think there are many legitimate grounds of complaint which cannot be dealt with by such a conference, particularly if people who have bonafide complaints will come forward and give us the facts.

Mr. ELKUS: Any question of Commissioner Williams?

(There was no response.)

Thank you very much indeed.

Mr. L. VICTOR WEIL addressed the Commission:

By Mr. ELKUS:

Q. Will you give your full name and your address? A. L. Victor Weil, No. 5 Beekman street.

Q. Your business? A. Real estate; representing the United Real Estate Owners' Association.

Q. Mr. Weil have you studied these questions which are before the Commission to-day for investigation? A. I have, and I have a written set of answers here which I should like to read, referring in particular to the different questions. I will take them up in their regular order.

The United Real Estate Owners' Associations, through its special factory committee, has considered the questions set forth in the pamphlet entitled, "Jurisdiction over Factory and Manufacturing Establishments in New York City," which was issued by the State Factory Commission, and respectfully submits its views of the questions contained in the said pamphlet as follows:

Question 1, reads as follows: "Should there be a Department of Labor for the City of New York and one for the rest of the state?"

In order to answer this question in such a manner as to meet the views of the United Real Estate Owners' Associations, the first thing to be determined upon is under whose control a Department of Labor for the City of New York, if one were established, would be as distinguished from another department for the

rest of the State. If the City Department would be under the control and jurisdiction of the State officials our association can see no benefit could be derived from establishing separate departments.

Our Association has always favored "Home Rule" in its broader sense. We believe that City Departments or Departments having charge of city matters ought to be wholly within the control of and subject to orders from the city administration. Following out this principle our Association favors the appointment of a separate Department of Labor for the City of New York, provided, however, that such a Department should be placed under the direct control and supervision of the Mayor of the City of New York, and that the rules and regulations, as well as the laws governing such a department, should be exclusively in the hands of the law-making body of the City of New York, in other words, in the Board of Aldermen.

Real estate owners are directly affected by the acts, conducts and personnel of the city departments. The owners therefore feel that they should be in direct touch with those entrusted with the administration of matters affecting their property interests. They believe that the Board of Aldermen are entrusted directly with the welfare of the city; the Board of Aldermen are the representatives of the residents of the city, in immediate touch with the needs of the residents of the city and most likely to further the interests of the city, keeping in mind at the same time, the rights of the taxpayer.

It is therefore in keeping with the principle of "Home Rule" that the United Real Estate Owners' Association urge the appointment of a separate department for the City of New York, having its existence through the city authorities, responsible to the city authorities, and governed in its activity by regulations and ordinances of the Board of Aldermen.

With reference to questions two and three, the United Real Estate Owners' Association believe that it will be for the best interests of the city and will do away with the possibility of a multiplicity of orders affecting the same subject matter and a frequent issuance of contradictory orders by city departments, if one central bureau were organized, to include, if possible,

all the city departments, or at least as many of the city departments as feasible, all the inspectors to report to this central bureau of inspection which alone shall issue all orders and notices of violations.

The head of this bureau of inspection should have authority over the issuance of all orders. He therefore will be in a position to examine them, sift them and thus avoid contradictory, duplicating and overlapping orders.

In favoring this central bureau of inspection, this association does so on condition, however, that it be appointed by the city authorities, subject to the control of city authorities. In other words, if the principle set forth in answer to question one is conceded and acted upon, the owners favor a central bureau of inspection, but if the principle of "Home Rule" is disregarded, then the owners can see no relief from the appointment or creation of a central body of inspection.

Question four cannot be answered at this time. The appointment of the bureaus will be matter of detail which would have to be left for the future to develop.

With reference to question five, the United Real Estate Owners' Associations submit that the answers to the former questions are applicable as an answer to question five. A central bureau of inspection, as herein briefly outlined, would act a sort of a clearing house for the reports of all inspectors of all the departments and the person in charge of the issuance of orders would find it comparatively easy to guard against the duplication of orders and against the issuance of contradictory orders.

No separate answer need be made to question six as the matter touched on above is sufficient to include what could be said in answer to question six.

Question number seven we answer in the affirmative, provided that the views herein expressed concerning "Home Rule" and the placing of control over departments in the hands of the city administration be approved by your commission and from the basis of your recommendations for legislation.

Our association is now at work gathering data of orders issued by various departments that substantially conflict with each other. The labors in connection with this work are arduous and require

considerable attention to detail and involve the examination of numerous orders from all the departments. We are therefore not in a position at this time to give many specific instances of conflicting orders, but the existence of such conflicting orders is a matter of common knowledge. Indeed, your very communication by the very pamphlet containing the questions, seems to recognize as a fact such existence of conflicting orders.

With thanks to your Commission for the courtesy accorded to the United Real Estate Owners' Association and appreciating this opportunity extended to us to express our views—

By Commissioner JACKSON:

Q. You are in favor of establishing a separate labor department in the State of New York? A. Yes, sir, that is the way I have outlined it to you.

Q. Are you in favor of the labor laws as they apply now throughout the State of New York to the City of New York? A. When the law is drawn up and it should be seen that certain laws are necessary we would be willing to favor such a law.

Q. You would then leave it entirely within the legislative body of the State of New York to draft laws for the City of New York in place of the present labor law? A. We believe the State should not interfere with the functions of the city any more than the State should take up the administration of the police department or any other department. We feel that is entirely for the benefit of its citizens and should be under the control of its citizens.

By Commissioner GOMPERS:

Q. Isn't it a fact that the industries of the City of New York are competitive to the same industries of the rest of the State? A. You might ask that same question in regard to any city department.

Q. Isn't it a fact that the industries in the State of New York are competitive with the same industries in the balance of the State? A. They are in the same way that the different concerns are competing with each other.

Q. I do not know whether you are willing to answer my question direct or not; I ask you again isn't it a fact that the industries of the City of New York are in competition with the

same industries outside of the City of New York within the State? A. Unquestionably that is so.

Q. The question then would be that the City of New York under your proposition might enact by the Board of Aldermen certain provisions of labor laws and the laws affecting the remainder of the State would be or could be quite different? A. What would that be—supposing that were the case. I think we have a perfect right to expect that the Board of Aldermen are going to deal absolutely honest in this matter.

Q. Of course the Board of Aldermen of New York has always acted honestly? A. I don't mean to say that, but they represent the citizens of the City of New York and have their interests more at heart than up-State. The up-State legislator who comes from a county up-State does not know conditions in New York and isn't in sympathy with New York.

Q. The purpose of my question is not only to bring this out, but to indicate that the same competition does not exist with the police department of the City of New York and the police of any other city of the State? A. It might. We might say we will make very liberal criminal laws to attract all the criminals here because they spend money, but we know it would be a very foolish thing to do because we do not want that class of people, and the same thing holds good as regards factory laws. We would not want to attract only those factories no other state would want because it would be a detriment to the city, but I believe if the labor law were enacted by the Board of Aldermen it would be better as they have the sympathy of the people.

Q. You say your association is gathering data as to conflicting orders? A. Yes, sir, we have taken that matter up.

Q. When that has been completed or is fairly towards completion, will you favor the Commission with that data? A. I certainly will if we have data which we think is proper, we will be glad to send it to you. There have been questions asked here whether there are factories, concrete cases of factories that have moved out of the city of New York on account of the factory laws. That is rather a peculiar question to put. It is like asking man if he is very sick and the family physician says you have a fatal disease and the members of the family do not believe it until he

is dead, but I have taken the matter up with the Merchants' Association and I asked them if they could get any data along this line, and they have sent out letters to the different trades and they have given me factories that have moved out of the city of New York into other States. Now whether the main, actuating motive was on account of the factory laws or not we have not been able to ascertain, but from a letter they sent out they have received fifteen or twenty answers where people have moved out of the city and State of New York, most of them into New Jersey, which shows they want to be near the city of New York, have the benefits of being near the center of trade, but not to assume any of the unnecessary burdens. I do not know how accurate this may have been. Investigation may show they wanted cheaper quarters for their manufacturing plants and other reasons.

Mr. ELKUS: I would be very glad to take that list. We have asked for those figures.

Mr. WEIL: I should prefer, if you would permit me to submit this list at a later date. After it has been fully confirmed I will be very glad to submit the list to you.

JULIUS HENRY COHEN, Esq., addressed the Commission:

By Mr. ELKUS:

Q. Mr. Cohen, will you state your profession and connection with different associations interested in the matter under discussion? A. I am a lawyer, and am counsel for the Cloak, Suit and Skirt Manufacturers' Association, and Dress and Waist Manufacturers' Associations.

Q. Have you made any investigation of cases which affect members of your associations which are conflicting or duplicating inspection cases? A. No, sir.

Q. Have you considered the questions which have been discussed before the Commission to-day? A. Yes, sir.

Q. And you are very much of a student of these questions, Mr. Cohen, aren't you? A. I do not know whether I am or not.

Q. You were one of the advisory committee of the factory investigating commission? A. I have done some work on it.

Q. You assisted the committee in drafting its legislation? A. To a very slight degree.

Q. And considering the subjects before them? A. Yes, sir.

Q. Will you be kind enough to give us your views on the questions under consideration? A. I ought to state that my views are based not only upon my general familiarity with the subject, but upon contact with members of the employers' associations. May I state in that connection, Mr. Elkus, that the two associations that I represent have worked in complete harmony with the Fire Department. I handed you before the session a copy of a letter which I received to-day in which the corporation counsel of the city in charge of Fire Department matters expresses his appreciation of our co-operation and of the way in which orders of the Fire Department are executed by members of the association.

Q. I understand in only two cases were prosecutions required? A. And those were against owners of the buildings and not against members of our association. Indeed, we have established very cordial relations with the Fire Department with a view of co-operating in the enforcement of the law, so that I do not think we can be grouped with the kind of manufacturers Mr. Veiller referred to as those who did not want to obey the law. Indeed, as you know, the manufacturers under their own regulations in our own industries are obliged to maintain standards in some respects more rigorous than the law requires, but there has been very considerable feeling even among the members of our associations that they are being harassed and annoyed more than is necessary. I heard a labor leader say yesterday, Mr. Chairman, that an imaginary grievance was worse than a real grievance because you could adjust a real grievance, but an imaginary grievance you could not adjust. Undoubtedly there is considerable feeling on the part of those in sympathy with the law that they are being very much harassed by orders that are in the nature of duplication, and in the nature of conflict. I am asking the managers of the associations that I am counsel for to prepare a list of specific cases of complaints submitted to them by members, and that I hope to send to you, Mr. Elkus, later on, but I know of one instance that has been called to my attention that is fairly illustrative of the cause of their complaint. A certain manufacturer was ordered by the Fire Department to put in a drop ladder of the usual kind. At very considerable expense he did that. Later on

the Labor Department compelled him to change the ladder and instead of a drop ladder put in a balanced ladder and make an exit. The cost was very serious to him, and from his business man's point of view, his attitude was, "I would have been willing to have done this in the first place if I had known that I was obliged to do it. Why should the city or the State impose upon me this duplication of expense?" And the point I want to emphasize, Mr. Chairman, is that this duplication of effort, this conflict of orders, this constant supervision and inspection, most of which is necessary, creates at this particular time a feeling of resentment on the part of manufacturers in the city, even on the part of those in sympathy with the law. Now it may be as Mr. Veiller says, that all of this is due to the fact that we have just begun to clean house, after having let the house be dirty for half a century, but it is true that if there is such a sentiment it will undoubtedly result in the removal of those enterprises from the State that can possibly get away. I think I am fairly safe in saying that there is a considerable movement on the part of manufacturers to go out of the State of New York because of the hardships that they are enduring. One employer told me the other day that by the time he gets through meeting all the inspectors that come to see him during the day it is about six o'clock before he gets to his correspondence or to attending to customers. Of course, that is an exaggeration, but it is fairly indicative of the feeling on the part of the manufacturers. Now it seems to me that with reference to the factory end of it I see no reason why an efficient fire prevention bureau in the city of New York, why every phase of safety, of the matter of safety in the factory should not be a charge of that fire prevention bureau. I cannot see why a different kind of inspectorial service is necessary in order to enforce labor laws that are intended for the safety of the people and in order to enforce fire prevention laws that are equally intended for the safety of the people.

By Commissioner JACKSON:

Q. Will you kindly say who should have charge of the inspection of factories in the city of New York with reference to safety in regard to the machinery? A. I haven't given that branch of it

any thought. I am talking about those matters that relate to safety in case of fire.

Q. Still you would have the factory inspectors calling in the matter of the safety of the machines and violations of the hours of the Labor Law? A. You have them as to the violations of the hours of labor. I suppose that has nothing, however to do with the Fire Department and I do not see how that could be put in the Fire Department, but certainly matters of safety and sanitation could be combined.

By Mr. ELKUS:

Q. In the fire department? A. I do not know whether you could put them in the Fire Department, but the joint board on sanitary control makes its inspection as to sanitation and safety at the same time.

Q. That is only one trade? A. But it was in that trade, Mr. Elkus, that the tragedy occurred that gave birth to your Commission.

Q. Before you take up that subject I would like to go back to this inspection, what you call apparently in the nature of duplication; isn't the complaint really against what is called piecemeal inspection; that is to say, take the case you gave us where a man, either an owner or manufacturer, would like to have all the work that he is required to do told him at once so that he can make his plans to do it at practically the same time instead of being required to do one thing one day and another thing next week and then after he gets through have some other department require something else to be done; what I was driving at was this: If there was co-operation between the departments of the city among themselves and then with the State departments so that whatever orders were given would be given at one time wouldn't that do away with a great deal of the complaint that was made, with a great deal of justification? A. I think it would, but I think also there is another phase that needs to be considered from the manufacturer's point of view. I have been impressed by what has been said to-day on the point of expertness in inspection. On the other hand, from the manufacturer's or employer's point of view, the entrance of so many inspectors during the day and the disturbance it creates, the time it takes up, undoubtedly affects

him now to an extent that is absolutely burdensome. Of course, whether or not it can be avoided, I cannot say.

Q. That is a matter of co-operation, common sense handling of the business? A. I do not know whether it is possible to accomplish co-operation when you have each of the departments working independently. If the Labor Department is responsible for the enforcement of the Labor Law how can you have other inspectors go at the same particular time, the fire inspectors —

Q. They tell me they are arranging that now? A. They are?

Q. Yes, except for the State department. All of the departments of the city are practically under the control of the Mayor or Borough President and they could arrange by definite orders and that would limit it to one set of inspectors and leave the Labor Department to go at another time, if it would not care to go at the same time. A. I doubt very much whether it would result in anything if left to that loose arrangement. I think the point of view that was expressed here by Mr. McGuire, perhaps not as fully as it might be expressed after further study, and it is simply this, that the emphasis up to this time has been placed upon the importance of the safety and health of the community, and it is right that the emphasis should be put there, but because the pendulum has been swung over in that direction, makes for considerable hardship on the part of manufacturers and employers. Now from the point of view of a man who wants to see the law maintained and enforced to the full extent of its spirit it is desirable that the pendulum should not swing too far, not that the law should not be enforced but that it should be enforced with such co-operation on the part of those enforcing it that those in sympathy with the law shall not feel that the law is ridiculous. At the present time, whether there is justification that can be put upon this record or not there is a feeling upon the part of the manufacturers that the law is being made ridiculous.

By Commissioner GOMPERS:

Q. It has been suggested that inasmuch as the Mayor of New York has the power to direct the heads of his departments, and the borough presidents and the Commissioner of the Department of Labor theirs, that if they co-operate, all of these heads of departments co-operate, for the purpose of minimizing the things about

which complaint is made, that much could be accomplished. I think it is quite true that when voluntary action is taken of such a character under the direction of these authoritative heads good results may follow? A. That is a good idea, Commissioner, but what I say is you have to have a definite plan and I see difficulties already in the way of working that out. You have the chief of the Labor Department up at Albany, you have the Fire Prevention Bureau in New York, the Health Department in New York; now I can see how the Fire Prevention Bureau and the Health Department and the Building Department may work out a plan of co-operation, but what power has the Mayor over the factory inspectors.

Q. He has none but he voluntarily enters into? A. I would like to get the head of the Fire Prevention Bureau and the head of the Department of Labor and sit them down in the same room and see how they would work it out.

By Mr. ELKUS:

Q. They have been sitting down in the same room? A. But have they worked it out?

Q. They say they have not finished yet? A. Well, I wish they would finish soon.

Q. Have you anything further to suggest? A. No, thank you.

Mr. ELKUS: Very much obliged to you.

Dr. ABRAHAM KORN addressed the Commission:

By Mr. ELKUS:

Dr. Korn, will you give the Commission the organization you represent or for whom you speak? A. The Harlem Property Owners' Association. I am also one of the honorary presidents of the United Real Estate Owners' Association.

Q. We would be very glad to hear your views on the subject? A. In reference to questionnaire number 1 I would say we could dispense entirely with the Labor Department in the city of New York and also coalesce the various other departments as follows: We could take the sanitary measures of the Labor Department and hand them over with full power to the Health Department; we could take the structural changes of the Labor Department

and hand them over to the Fire Prevention or Building Department and could do it with half the expense it costs the taxpayers in the city of New York. A further method that comes to my mind now is that we could also coalesce the Building Department and the Tenement House Department with the Health Department, and that part of the Department of Water Supply, Gas and Electricity that takes care of the installations and electrical appliances also, and have them transferred over to either the Health Department or the Building Department. In other words the Health Department could be made a department of welfare of the city of New York and under that department they could have sub-bureaus which would take care of the sanitary conditions of buildings in the city of New York, and you could also have a bureau under the Health Commission, that could take care of the machinery protection of the factories of the city of New York. The conditions in the city of New York are to my mind entirely different than those in other cities of this State. Manufacturing conditions are entirely different than up the rest of the State.

By Commissioner PHILLIPS:

Q. In what way? Are they worse? A. Outside of the city of New York manufacturing industries in my mind haven't the same complications as they have in the city of New York. You can manufacture cheaper, you can get rentals cheaper and other conditions. Sanitary conditions are different outside of the city of New York on account of the difference in population in the city of New York and other cities. You take the city of Buffalo for instance — the factory buildings there — ground is cheaper, factories can be put up cheaper and they are more modern. In New York they are not as modern, consequently the cost of alterations is a good deal more severe to the owner than they would be outside of the city of New York.

Q. Then you think you can manufacture in a more wholesome way up-State and for less money that you can here? A. You certainly can, and the clothing industry has proven that because most of them have gone out of the city of New York and most of the clothing is being manufactured in Rochester and Buffalo.

Q. The better grades of clothing? A. All kinds of grades, Mr. Assemblyman and you know it.

By Commissioner GOMPERS:

Q. Would you encourage the relaxation of the labor laws as applied to the city of New York? A. I would not. I would enforce them as much as they can be enforced and are enforced now, under those conditions of putting them under one head.

Q. You made mention of the fact of the increased cost of land and of construction and maintenance in the city of New York; will you enlighten us, give us the reason why you mention that fact? A. The reason of the increased cost is on account of the increased demand, I suppose, in the city of New York in certain centers.

Q. What application has the statement to the subject under consideration; what have you in mind? A. The duplication of orders from the various departments by putting all these departments under one head, for instance a welfare bureau. They would send out a certain inspector to take care of structural work of a certain building. That inspector would inspect that building from cellar to roof and if he knew his business he would put on one order the violations necessary in order to bring that building to comply with all the laws of the city and the State of New York at one inspection.

Q. If you eliminate the department of labor's activity in the city of New York, to which bureau, board or department would you assign the enforcement of the child labor law, for instance? A. Under the health department; the health department to-day has a certain branch of it. It has the hygiene of the child to-day. Why couldn't it take care of the child labor law. They take care of all the milk stations in New York, why can not that hygiene department take care of the child labor law at the same time?

Q. Some of the gentlemen appearing before this Commission to-day have said that applying the general powers to several departments loses the emphasis of the enforcement of the specific provisions for the protection of the child? A. I disagree with him. I see no reason why a physician who may be health inspector and knows the laws of the health department, including child labor laws, can not go out and inspect a factory building and show just the same kind of a violation that a physician who may be now employed by the Labor Department does. Physicians are going out investigating and examining children as regards their health,

whether they are fit to work, and noticing their age. I see no reason why they could not go out and do it under the Health Department.

Q. Of course there was a time in the State of New York as well as the city when there was no such thing as a law establishing the hours of labor of children? A. I know there was also a time in the city of New York when the Health Department did all the inspection that the Tenement House and Building Departments does. I remember in my time when they went out inspecting in that method. They took in infectious diseases at the same time.

Q. Isn't it true that sanitary conditions in the State of New York are better to-day than they were twenty-five years ago notwithstanding the fact that the population has doubled? A. That is on account of the progressiveness of the medical profession as to sanitation.

Q. It has nothing to do with the administration of the law? A. Administration of the law as dictated by new sanitation methods. We know more about sanitation to-day than we did twenty years ago.

Q. In the construction of the buildings? A. In the construction of the buildings and as regards the health of the community. There is more advancement in research. Medical science has helped along the entire movement.

Q. Do you know of any state in the Union or any country where the enforcement of child labor laws is assigned to any other than the special bureau or departments for the enforcement of such laws? A. I won't say positively I do, but I think the city of Chicago takes care of that under its Health Department.

Q. Has the State of Illinois a Department of Labor? A. I don't know.

Q. Well it has? A. I don't know. I didn't investigate that. I know at the time I was in Chicago 12 years ago that matter was taken care of by the Health Department of the city of Chicago.

Q. You have mentioned Chicago, and that is the reason I call your attention to the fact that the State of Illinois has a very effective Department of Labor with its inspectors, and inspectors especially appointed for the enforcement of the Child Labor Law? A. They may have the laws but I think the Health Department

still have the jurisdiction in Chicago. They must have changed lately.

Q. No, it has not been changed lately. As a matter of fact the powers of the Labor Department of the State of Illinois have been increased and extended very considerably and that is the tendency throughout the United States. As a matter of fact, the recent Eight Hour Law passed by Congress as applying to the women of the District of Columbia and the appointment of three inspectors authorized by the law were appointed by the District Commissioners and assigned to the Health Department and that procedure has been protested? A. So they had assigned them to the Health Department in the District of Columbia according to your statement.

Q. I say it has been protested. It is only within the past week or so and that is protested. That is the only instance that came under my investigation? A. Now Mr. Elkus, I suppose you would like to hear about some conflicting orders of the various departments.

By Mr. ELKUS:

Q. Anything you have to say? A. For instance the Tenement House Department in a tenement house that has a bake shop will order in that bake shop, especially if it uses any fat boiling processes in the making of its product, a brick partition between any passageway that may be going through that cellar. That passage way after being built has a smooth surface. The Health Department or the Labor Department will come in and order that man after he has finished that and that brick wall has been accepted by the Tenement House Department—comes in and orders that man again to replaster that wall. That is one conflicting order.

Q. I didn't quite follow you and if I may I would like to ask a question; is this an actual case you are giving us? A. Yes, sir.

Q. Can you give us the house number? A. Yes, sir, the house number is 1746 or 1748 Madison avenue. It is the third house from 115th street.

Q. When was this? A. It is pending in the Health Department now.

Q. Now you say the Tenement House Department made this man put up a brick wall? A. Yes, sir, a partition wall.

Q. A partition wall in a bake shop? A. Yes, sir.

Q. Separating the bake shop from a living apartment? A. No, sir, from a passage way that leads up stairs to the store.

Q. That is under the Tenement House Law? A. Yes, sir.

Q. Some other department, the Health Department—A. (Intg.) The Health Department that now has supervision of bake shops under the new law orders that wall to be plastered so as to have a smooth surface.

Q. That is after the wall has been finished—what was the wall made of? A. Made of brick.

Q. They ordered plaster put on it? A. Yes, sir.

Q. Do you call that a conflicting order? A. I do, simply because the wall is a smooth wall.

Q. Has the man complied with it? A. Not as yet.

Q. Now you are negotiating with the proper departments? A. With the one department that has supervision.

Q. That is two city departments? A. Yes, sir.

Q. A conference between the two heads of the two departments could determine the matter? A. I don't know.

Q. Your point is that is has a smooth surface and therefor does not need another? A. Yes, sir.

Q. Now if the second department that gave the order to plaster conferred with the Tenement House Department, they might avoid the whole thing? A. I do not think they could for the reason that the Tenement House Department has no jurisdiction now over bake shops.

Q. When was this order put out? A. I think six, or seven or eight months ago—I am not sure of the time.

Q. The partition was ordered put up? A. Yes, sir.

Q. And now the Health Department has the bakeries under its control? A. Yes, sir.

Q. And in the reinspecting of these bakeries they ordered this wall to be plastered? A. Yes, sir, after it was put up. Now another incident is where the Tenement House Department will issue to the owner of the apartment—you can not have a ladder from the balcony to the ground floor longer than 16 feet accord-

ing to the Tenement House Law; if the distance between the first balcony and the sidewalk is more than 16 feet the Tenement House Department will issue an order to construct a safe landing to the sidewalk and in doing so the owner has to construct a platform made of iron on the sidewalk. That is the only remedy he has, or tear down the fire escapes. Now as soon as he puts that down the Borough President comes along and says you are obstructing the highway and you must remove it.

Q. Can you give me a case where that was ordered? A. You will see a number of them.

Q. Give me one specific case? A. I can not just now, but any man can see hundreds of them.

Q. I have heard that, but give me one specific case, just one? A. I think there is one specific case in 116th street and Madison avenue, if I am not mistaken, but Mr. Elkus, the Tenement House Department, can give you every order.

Q. We had the Tenement House Commissioner here this morning? A. But he didn't give you the place where the orders were issued to put safe landing platforms.

Q. I am asking where you have to do this thing and another department comes along and tells you to tear it out. The case you gave me about the wall being plastered. It is an additional order. It may be unnecessary but it is not conflicting? A. Now I will give you another instance where the Tenement House Department will order that a floor in a basement — they will accept a wooden floor in a basement of a bake shop. Now comes along the Labor Department and says they will not accept a wooden floor, that you must put in a concrete floor. The result is the owner has to rip out the wooden floor and put in a concrete floor.

Q. Isn't that the Health Department and not the Labor Department? A. No, the Tenement House Department.

Q. You say the Tenement House Department takes the wooden floor? A. Yes.

Q. And then the Labor Department wants the concrete floor? A. Yes.

Q. You mean the Health Department, don't you? A. Under the Health Department now.

Q. Under the new law it was transferred to the Health Department so as to give the city full jurisdiction? A. Yes, sir.

Q. Now this wooden floor has been down how long? A. I couldn't tell you.

Q. A number of years, hasn't it? A. It may or may be a new floor ordered in.

Q. Have you a specific case? A. I think that same case where I spoke to you about the wall, it occurred in the same building.

Q. Now in that case wasn't the wooden floor down there about ten years and then the Health Department came along and said the wooden floor was worn out and they must put a concrete floor there? A. No the floor was in good condition.

Q. They claimed it was? A. I don't know what they claimed.

Q. It is this same piece of property? A. Same piece of property.

Q. Is that all? A. No, I want to give you also a list of manufacturers that have moved out of the city of New York and have gone over to Hoboken, New Jersey, on account of the stringent enactment of the Labor Law. I don't know if I ought to divulge the names of these gentlemen, but I can send you a copy.

Q. You can give it to me privately? A. I will say this upon an investigation by this Commission around Jefferson street, Adams street, Grand street, Clinton street, Hoboken, N. J., they will find at least 75 manufacturers that have vacated the city of New York and have taken space in these streets for manufacturing purposes. You will find that those houses were tenement houses before.

Q. Have you ever examined the laws of New Jersey about factories? A. I have not.

Q. Don't you know they are about copies of our laws? A. No, I don't know that.

Q. Don't these concerns move to New Jersey not because of the Labor Laws but because of the labor unions? A. I suppose for both.

Q. I will tell you for your information, Dr. Korn, that the New Jersey legislature practically reenacted the New York Labor Laws as to factories, and in fact in some cases they are stricter there than we are here and most of these concerns on investigation we find moved to New Jersey because they think they can get along better with the labor unions there? A. Here is one where the labor union has nothing at all to do with it.

Q. I don't know of every case you have? A. I am going to read you the letter:

May 15, 1914.

Messrs. Schiff Bros. & Lerner, who are now located at 296 Stanton street on the fifth floor, had their shop fixed up last month in best condition. They threw their engine out and installed an electric plant instead to comply with the rules and regulations of the Labor Department. The gentlemen spent about \$500 for this.

Now, they employ 28 people and the Labor Departments want them to employ 20 only which means a great deal to the poor men who are striving to make a living, and leaves them nothing to do but to leave the place entirely.

As a result of that they are now contemplating moving over to New Jersey.

Q. They are contemplating? A. Yes, sir.

ASSEMBLYMAN PHILLIPS: What does it cost to move to New Jersey?

THE WITNESS: I don't know, sir.

Q. That is a factory in what is called a converted tenement?

A. I don't know the building.

Q. Will you give me this list? A. I will with pleasure.*

Mr. PETER J. BRADY addressed the Commission.

By Mr. ELKUS:

Q. Mr. Brady will you be kind enough to give your name and address? A. Peter J. Brady, 924 Pulitzer Building, New York.

Q. And with what association or organization are you connected? A. I am secretary of the Allied Printing Trades Council, composed of twenty-one labor unions, all of the printing industry, in the City of New York.

Q. How many members have you in your associations? A. We have around 22,000 members organized.

Q. And they work in the City of New York? A. All of them work in Greater New York.

* This list was not sent to the Commission. See page 468.

Q. Now have you considered this question or these questions which have been discussed by the Commission to-day? A. Yes, Mr. Chairman, I have read the questions.

Q. Have you been here to-day? A. I have been here all day.

Q. Have you listened to the discussion? A. Yes, sir.

Q. Now we will be glad to have your views on this matter?

A. I have listened to the discussion with interest, Mr. Chairman, and I not only came for the reason of hearing the discussion and answers to the Commission's questions, but I had also seen in the newspapers about the conflicting orders, the duplication of orders and the multiplicity of orders; that the State and city departments were giving this and it was driving manufacturers out of the City of New York, and possibly out of the State, where they would not be harassed and interfered with as much as the newspapers intimate and even as much as the statements in this morning's newspapers would lead us to believe. Now in appearing here this morning I came early for the explicit purpose of trying to find out if there were really conflicting orders being issued. So far I haven't heard any one bring anything forward any evidence to prove that any manufacturer has left the State on account of conflicting orders from the State and city departments. As counsel knows I was one of the people instrumental in creating this Commission, and have followed up the work of the Commission since it was created under Governor Dix's regime and have been instrumental and helped the Commission in every way I could to have new legislation placed upon the statute books, which would protect the workers as regard fire hazards and health and sanitary conditions in every way. As I understand the statements made by a great many of the representatives of real estate interests it has been that it would be impossible to comply with all the orders which have been issued, and I am pretty sure that the orders issued generally applied to the old buildings, either buildings which had been used for dwelling purposes or buildings which had been used for tenement houses and possibly buildings which had been used a great many years ago for manufacturing purposes, and the result of that has been that these real estate people at the present time claim, and emphatically state, that on account of these restrictions which have been placed upon them by the various departments, that they are unable to rent their

buildings on account of the restrictions that are placed upon the various manufacturers. Now I am inclined to seriously disagree with them. I am of the opinion that the modern buildings and modern builders have been penalized on account of the city and State departments not enforcing the statutes which have been on the books for a good many years and this agitation and this protest among the real estate interests have been caused more or less by the various departments really getting on to their jobs. I am not even willing to agree that it is the heads of the departments themselves or city and State administrations. I am inclined to believe it is the labor unions who have been prodding and pushing and waking up the departments to their responsibilities and insistence upon the enforcement of the laws which the labor unions succeeded in placing on the statute books. They say these buildings cannot be rented at the present time. I believe if an inspection is made of the modern loft buildings further up town they can find possibly a corresponding amount of "to-let" signs on these buildings which comply with every one of the laws, and my impression of that is that there is possibly an overbuilding of the city to a certain extent, and I am going to call upon the Commission now and request for our unions that every person who has appeared before this Commission and made a statement about manufacturers leaving this city or State on account of enforcement of the laws, that they be compelled to furnish to the Commission this information, including the borough president who was here this morning and said there are fifteen manufacturers he knew of who contemplated leaving on account of the enforcement of the laws, I am going to ask further that instead of being given confidentially to the Commission that these names should be made public and made accessible to the public. I myself would like to find out who those manufacturers are and just what kind of manufacturing they represent, just what particular industries. I seriously disagree with the witness who was on the stand a moment before me saying particularly the clothing industry have left the city and gone to other places up the State and have left the State. I am pretty positive from what I know of the situation that there is isn't any greater percentage of clothing being manufactured in

the cities of the State. He mentioned Rochester and Buffalo. Rochester has always been a clothing center and so has Buffalo to a great extent. I am not inclined to agree with any of the real estate people who say that. So far I have not seen manufacturers, I have not seen anybody representing manufacturers, outside of Mr. Cohen, and I am very anxious to have some of those manufacturers come forward and present to the Commission their reasons for leaving the State or leaving the city and going elsewhere, and it is logical to assume, and I think they are business men enough and broad-mined enough to know there is nothing in the world to prevent similar laws from being added to the statutes of other States. That has been the trend all along. New York State has set the pace in the enactment of labor legislation, no doubt on pressure brought by the labor unions, and the agitation started by the labor unions, but the same agitation is continuously going on in other States and I am anxious to get this information, because if we find the manufacturers in this State are leaving here on account of these laws we will take up with the labor unions in the other States the question of having similar legislation enacted there, so that there will be no relief to those manufacturers who are leaving here for the purpose of evading the laws and squeezing down the workers as much as they can. I do not mind telling you that our people work together on the question of legislation. We intend to do it and shall continue to do it. We go from one State to the other and we are anxious to have similar conditions prevail in every State, no matter where our members are employed.

By Commissioner GOMPERS:

Q. I know that you are well acquainted with conditions prevailing in industry outside of the printing trades, but perhaps more familiar with those in the printing trades; do you know of any great printing plant which has left the city of New York for the purpose of avoiding the labor laws of the State? A. I positively do not. I may say I am thoroughly acquainted with the five branches of the printing industry; possibly as familiar with it as any person in the city of New York or any person may be in the country, and I do not know of any one branch of the printing industry where they have left this State for the purpose of

evading the laws, and I do not know of any who have removed from the State for any reason whatever.

Commissioner GOMPERS (Acting Chairman): The Chairman would suggest that it might be well to call before the Commission either publicly or otherwise the representatives of the garment workers, tailoring trade, and the ladies' garment workers so that they may be able to give some testimony upon this general subject this specific subject as to the removal out of the State of employers, manufacturers, engaged in the garment industry, that is to evade or avoid the labor laws of the State of New York.

By Mr. ELKUS:

Q. You may continue Mr. Brady? A. Mr. Chairman, I have just another thought I want to give to the Commission. It is a request I am going to make of the Commission before I leave here, and that is to try and find out by investigation from those trades which have been particularly benefited by the enforcement of labor laws during the past few years, the results that they have had upon the workers themselves, who have been given better sanitary conditions and more helpful surroundings, to find out whether they produce more than what they have been producing in the old ramshackle buildings we have around us when they get into a more desirable loft building where they have better ventilation and sanitation.

Q. You mean it is a paying proposition? A. I do and I am very positive the Commission can prove that, not only to the manufacturers but to the satisfaction of the real estate owners also.

Mr. GUSTAVE G. LAUREYNS addressed the Commission:

By Mr. ELKUS:

Q. Mr. Laureyns, will you state whom you appear for and give your address? A. I appear for Marc Eidlitz & Son, builders, unnumber 30 East 42d street, and represent them and their various clients.

Q. Now Mr. Laureyns, we would be glad to hear you upon these questions under discussion? A. Now, Mr. Chairman, I have listened to what has been said here and it seems to me that you have missed at least one of the sources of criticism about the

multiplicity of inspections and duplication of orders. There are among the people who have appeared here those who represent the initial interests of the building. The manufacturer and owner is one proposition, but when an owner erects a building he needs to employ an architect, he needs to employ a builder and he needs to employ an engineer. Looking over the audience here, I do not see the architects and builders represented. Now the multiplicity and conflict lies here right in its incipency; the architect had hitherto only one law to consult in order to make his plans. When he prepared his plans and consulted this law he knew just where he was at and he could at any one time refer to the Bureau of Buildings and get advice. I am now talking for the architect and also for the builder who is associated with him more or less intimately. For the last two years we have various laws covering the one subject. First, we still have the building laws covering all buildings. Then we have the fire regulations covering installations in buildings and portions of those buildings. Third, we now have this new law of the Labor Department covering factory and mercantile buildings, and we are going to be blessed by one additional source and another form of expressing these same requirements, the Industrial Board.

Q. What Industrial Board? A. The State Industrial Board, making new rules for enforcing of and for emphasizing the laws which this Commission generates. There are thus four sets of laws, and you will readily understand that an architect and a builder has to be a lawyer under such a state of affairs, in order to practice business. I call that multiplicity, and it is from the voices of these people, I take it, that one source of complaint emanates. When an architect has a set of plans to prepare to-day or has an alteration to make, he does not know which way to turn to get advice. He may go to the Bureau of Buildings and he gets a certain amount of advice there as to what they will permit and what the law will not permit. Then the representative of the Bureau of Buildings — I see one of them here in this room representing the borough of Manhattan — I guess he would confirm what I say — says, "While on these subjects I have advised you I cannot say everything about it, and you will have to go and see the Labor Department." Now the architect goes and inter-

views the Labor Department to see how its representatives will interpret its laws. Here is a new state of affairs, a different method, a different way of interpreting the ideas of other law-makers. Again he is referred to the Fire Department for certain installations, and he wants to know what the officers are going to have to say. As to his sprinkler system, fire equipment, etc. — granting that we understand that some of the things which were adjudged to the Fire Department a year and a half ago are no longer under their responsibility — yet for a number of equipments we have to consult them, so you will see a duplication and a multiplicity right there from the beginning, and I ask you gentlemen —

Q. Mr. Laureyns, if I may interrupt you there, you would advise a consolidation of three or four different departments?

A. I would not, Mr. Elkus. I should like to be permitted to continue at this time.

Q. I beg your pardon, I thought I would ask you a question here.

A. (con.) There is another point which has come under my observation in my connection with a number of buildings. I am also a building inspector, representing a builder and his various clients, and I am usually the second building inspector, after another building inspector representing a department, has been on certain premises, and very frequently when I go to these premises I have seen inspectors of different departments and I know that there is antagonism, which perhaps ought not to be, by the owners and tenants of these buildings. They will say, "Oh, here is this man again, I have to lose my time," They don't desire to have an inspector go through on his own initiative. Perhaps it is not possible in all cases, but it certainly is something which the manufacturer, or the tenants of some premises resents when it repeats itself too often. He is no sooner done with one species of inspection than he gets another one and I have repeatedly noticed this very state of affairs. Now as to the other questions of multiplicity which have been mentioned here I will say that I have had, representing a builder, the handling of a number of cases where orders have been issued from various departments for things to be done. As I tried to emphasize before, it usually is a builder

who has to execute these orders, and even if this builder is only a mechanic who is used to swing a door from inward to outward, etc., yet he is right at that moment there, is a builder. I have had such a case, for instance, as the President of the Borough mentioned, and strange to say it was on a new building where we erected the doors opening outward and found after erecting them that they opened outward too far. We had to change them. Now the point that perhaps the President of the Borough has not emphasized and made clear to you is this, that such a change is structural in most cases. Such a change requires a professional man who knows about these things to advise no matter how small the case, while the usual owner or tenant thinks he knows all about the simple cases where on a small order was issued; if the order reads that the door has to swing outward he will simply swing it outward. Now aside from these interviews we have furnished you a letter or brief referring to the proposed recodification, incidentally therein we have mentioned a few items which we think somewhat conflicting and somewhat of a hardship to the man who has to actually execute orders issued by a department.

Mr. ELKUS: We will add that letter to your testimony.

The letter referred to by the witness is as follows:

" MARC EIDLITZ & SON,

" 30 EAST 42D STREET, NEW YORK CITY,

" May 12, 1914.

" Honorable ABRAM I. ELKUS, Counsel for the New York State
Factory Investigation Committee, 170 Broadway, N. Y. City:

" DEAR SIR: Pursuant to receipt of copies of the 'Proposed Recodification of Labor Laws', etc., and to your request that suggestions and criticisms be sent in writing and promptly, we beg to submit to your Committee as follows: —

" Article 1, Section 1, Paragraph 2, 'Definitions'; (See page 5, lines 1 to 6). This we think should be elaborated along the following lines:

" The term "factory building" means any building, shed or structure which is mainly devoted to, occupied by or used for a factory.

"The term 'working plant' means that part of a building not mainly devoted to manufacturing purposes, but where laundry, bakery, confectionery and other shops are installed as a house-keeping accessory, and where employees perform work.

"The term 'mercantile building' means a building which is mainly devoted to offering for sale goods, wares or merchandise.

"The term 'mercantile establishment' means any other place where goods, wares or merchandise are offered for sale."

"Our reason for suggesting such amendments is that the present definitions are too sweeping. Thus: A modern hotel contains bakery, confectionery and rooms devoted to the manufacture of food products, as well as rooms devoted to the purposes of laundry, tailor shop, carpenter shops, machine shops, etc., all of which appear to fall under the jurisdiction of Article 11, etc. Thus again: A 'mercantile building' may contain rooms or floors devoted to the manufacture of goods and merchandise and even food products that are to be sold, and such rooms might constitute but a small portion of the total space. It would be manifestly unfair to call such buildings 'Factory Buildings.'

"Article 10, paragraphs 180 to 185, In general we submit that offsets in the vertical continuity of fire walls would in no wise impair the efficiency of such walls, provided the offsets were at the level of a floor or immediately below same, and provided further that the upper section of wall be independently supported by properly fireproofed girders and that the horizontal space between the top of the lower section and the bottom of the upper section be properly sealed with approved fireproof construction. Such a provision would provide more judicious adjustment to the varying needs of different floors in one building, or to the varying requirements of tenants in a tenant building. It would also create more resource for architects who plan such buildings.

"In fireproof buildings no real gain can result from the requirements that the fire wall and fire partitions shall be continuous from the cellar floor to the underside of the fire proof roof. Offsets on different floors, and even the total omission of such partitions in the lower floors where such floors are used for mercantile or other purposes, where otherwise different conditions exist and where a number of separate and adequate exits have been

provided, which are otherwise satisfactory, would in no wise minimize the effectiveness of the partitions above.

"In a fireproof building a floor sub-divided into rooms by more fireproof partitions than above contemplated which otherwise do not correspond to the partitions in floors above and below would not be inferior, provided the openings and other features do otherwise fulfill the requirements.

"Page 148, lines 16 to 19: In our opinion the requirement of 'at least 40 ft. from the center of an opening to the center of every other opening' leads to hardship and does not adjust itself to modern practice. We submit a re-adjustment along the following lines:

"The total width of the openings in every such wall erected after October 1st shall in no case exceed 20 per cent of the total length of the wall. Such openings shall be spaced apart from each other and in no case shall the distance between any two openings be less than twice the width of the largest opening."

"Article 11, paragraph 235 (See page 202, lines 5 to 8). Here is established the definition of a 'cellar' for the guidance of all of the Labor Laws as well as for the guidance of all rules to be established by the Industrial Board; according to this definition all spaces below the curb in any building constitute a cellar. Thus, in a hotel erected in accordance with the modern practice of providing several stories underground, all stories would come under the ban, no matter how ventilated and equipped. Thus again, the Industrial Board in its hearing on May 6th (see pamphlet on proposed sanitary provisions for factories and mercantile buildings — page 12, rule 154) would prohibit the installation of dressing rooms in a 'cellar' without regard to the modern means and appliances that can be and are made use of for the purpose of rendering the basements and lower stories sanitary. We submit that a room adequately equipped with mechanical means of ventilation while located in a basement is not less sanitary than any other room elsewhere located and not equipped with such permanent means of ventilation.

"We also submit the above criticism for Article 13, Section 304, page 225, lines 14 and 15, and we do not think that a window opening to the outer air is necessary. In proof of this contention

we can call attention to installations already erected in buildings for various purposes, as well as in mercantile buildings, where such dressing rooms have adequate and satisfactory ventilation while not provided with windows opening to the outer air.

"We are aware that your Commission will hold a public hearing on May 18th, 1914, on a subject of great interest to Architects, and to builders as well as to the owners of property, viz: 'Duplication of Inspection by different Departments.' In this same respect we submit that the present proposed recodification is not clear.

1st. The New York City Building Laws require that plans for alterations to old buildings, as well as for new buildings, must be submitted for approval and permits obtained before proceeding with such work. The supposed relation between the Department of Labor and such requirements is expressed in Article 10, para. 196, clauses 2 and 3; these are clear only for proposed new buildings and large alterations; nothing is said as to the execution of summary notices issued by representatives of the Department of Labor, and uncertainty arises as to the correct method of enforcement by either bureau.

"2nd. It would appear that orders for additional plumbing work can and will be issued by the inspectors of the Department of Labor in factories located in the City of New York (see Article 10, Sections 210 to 220, on Sanitation), while it is a fact that all plumbers in the City of New York must be licensed and are not permitted to do any additional work on buildings without due authorization from the Bureau of Buildings.

"3rd. This same criticism applies to Article 13, Sections 300 to 307 — Sanitation in Mercantile Buildings.

"4th. This same criticism applies in a different way to Article 11, Section 236; and in Section 243, clause 2, the enforcement of all clauses of this article is vested with the Health Department, without due regard to the prerogatives of the Bureau of Buildings.

"We submit a general provision along the following lines: —

"'In the City of New York, whenever the Commissioner of Labor or his deputies, or the Board of Health acting in a similar capacity, have served a notice which embraces alterations, to

premises or to plumbing installations, a period of ten days shall be granted to the owner or lessee or their authorized agents to confer about such requirements; should they fail to give notice of compliances or to submit for approval an alternative method of equal merit for correcting the conditions referred to within the period stipulated, a copy of the original notice or a copy of the approved modified conditions shall be served on the Bureau of Buildings, whose duty it shall be to inspect such work and to pass upon the proper compliance with the notice. After such construction or alteration shall be completed, the Commissioner shall, when requested by the owner or person executing such work, issue his certificate to that effect. Such certificate shall bear the date when issued.'

"We suggest further that in the City of New York, a copy of the above provision be printed upon all notices to be served by either Bureau.

"Article 10, Title II, Fire Hazard, \$200. automatic sprinklers — While it is true that the standards for automatic sprinklers in this country are only established by regulations based upon the rules of the Board of Underwriters, this Section puts upon the Fire Commissioner of the City of New York the burden of approving and supervising new installations, while all other new installations are put under the jurisdiction of the Bureau of Buildings.

"While we do not question the appropriateness of inspection by specialists, it occurs to us that such installations and others (such as standpipes and tanks which were heretofore supervised by the Bureau of Buildings) could be brought under a single jurisdiction, thus lessening the burden of the builder.

"This criticism is serious when it is considered that heavy tanks, exposed to wind pressure and imposed upon buildings not previously erected with that purpose in view, might in instances prove a menace to the stability of the structure.

"Respectfully yours,

"MARC EIDLITZ & SON,

"per G. G. Laureyns."

Q. Mr. Laureyns, referring to Questions 1, 2 and especially 3 and 7 of the questionnaire, what do you recommend?

The WITNESS: I do not feel competent to answer your question but I do plead as I pleaded before at the time you held your preliminary hearings that you consider the bureaus which are giving good service to-day in the city of New York, bureaus which have improved in their service and are to-day given a cleaner bill of health than ever they had before in the history of the city of New York, that you consider those bureaus and leave to them the jurisdiction which properly belongs to them. If I may, without attempting to answer these questions, I would say that as to all matters structural; no matter of what kind, whether a proposed new building or an alteration or even a summary order, these should all be executed under the jurisdiction of the bureau of buildings. Here are the men who should see that an order is executed and that it be executed under the laws of its own department as well as under the laws of the specific department ordering the improvement. It is a very easy thing. Incidental thereto you should also in giving your orders—

Q. How about the tenement houses, would you do that also? A. Absolutely. That is exactly the way it is done to-day. When the tenement house department to-day issues an order which is structural the building department becomes aware of such an order and it sees it executed.

Q. Anything further? A. Yes, just this one point, as to inspections. We do not feel that the inspections in New York City are wrong. We believe that specialists should make separate inspections, representing their departments, but we also are fully in accord with the suggestion that has been made here to-day, that if a certain alteration is advised as to a certain building—I say this advisedly—that the other departments who might have something to say about the same position, the same element in this same building, should become aware that such an order is about to be issued, and before the execution of the order is begun I think it is surely justifiable that the owner, or tenant or lessee—whoever is responsible—be privileged to know all about the requirements of each department, so as to execute it rightly once and for all. I have here different notices with me issued by different departments. I must beg not to have to show these because with the various interests we represent it is not

proper to expose everybody's private business, nor the method of handling the business of different owners. That is perhaps one of the great reasons people will not mention to you specific cases. I could, but I do not feel justified and do not think I would really fulfill the best wishes of the clients of the house I represent by doing so, furthermore, by pointing out these specific cases I might perchance arouse feeling in some departments that they had been ill treated or misrepresented; but I can point out and will point out that we have had cases previous to the enactment of this law where departments such as the Building Department ordered expensive alterations.

Q. That is not under the present law? A. No, but these alterations were executed and the owners instructed us to represent them to the best of our ability in executing them, we did so, yet new and contradictory orders are now issued by other departments.

Q. We have troubles enough with the present law without going back to some former law; if you will, give us the names of these cases? A. I have explained to you why I do not think it is advisable.

Q. You were talking about some case under the old law. If you want to give us the name, you do not need to give us the name of the party, give us the location of the building and if you do not want to state it publicly state it privately, but we cannot get anywhere by these general cases? A. I will do it in one case because we have been authorized by the owner. There is the name of the owner and there is the violation. (Witness indicates a paper he held in his hand.) In this instance the owner spent from two thousand dollars to three thousand dollars two years ago in order to make the repairs. He is now against a new sequence of requirements which do not in any way give credit for the requirements and the bettering of conditions that had been made.

Q. You have an order here requiring a change in some building and two years ago the owner made some changes of his own accord? A. No, other requirements by another department.

Q. Now these are additional requirements? A. They affect the same portions.

Q. But they are additional requirements? A. Naturally.

Q. Made two years after? A. Yes.

Q. Doesn't that happen whenever the law is changed? A. But what I want to do is to call attention——

Q. What do you suggest — would you say in that case that the law should contain a provision that this man should not be required to do it or what? A. No, but I should think that if there was now a board of appeals — a board such as for instance the Board of Examiners in its relation to the Bureau of Buildings where we could go and say: Gentlemen, we would ask, representing the owner, now once and for all that you inspect these premises; we are willing to make these changes, the owner is willing to spend some more money, will you kindly go and inspect these premises and tell us what to do and then give us notice that as long as the tenantry of this building stands as it is, it remains.

Q. Would that be feasible? A. I believe it would.

Q. Now take this case, I won't read any names, this requires (reading) "Change connecting stairs of all balconies of all fire escapes to a pitch not exceeding 60 degrees — you put up those fire escapes two years ago? A. No.

Q. Then these were not put on two years ago? A. One second, I am trying to answer you.

Q. What was the pitch of the fire escape stairs that you were required to change in this particular case? A. The fire escapes were ordered changed but in lieu thereof we were permitted to build a bridge connecting this building with another building, a much better method of escape, and no concession is made in this order.

Q. Then it is not necessary to have those fire escapes, you can take them down? A. Probably.

Q. I say you can take them down? A. I don't know.

Q. Don't you know? A. No, I think the fire department would be well justified in insisting upon having them there for their own facilities.

Q. You say under the new law you were permitted to make a connection with the adjoining building, weren't you? A. Not under the new law, that was done under the old law.

Q. That is a much better way of escape than an ordinary fire escape? A. And we erected it.

Q. Now you are not prepared to say whether or not if you did that you could take down this fire escape altogether? A. Not at this moment.

Q. I can tell you you can? A. The fire department may desire to get up that building and have something there to get up from the outside.

Q. They can't make you do that; they may desire it? (reading further) "Stairs from upper balcony of both fire escapes on rear of building to roof with proper balcony to roof level." That means you must connect the fire escape with the roof so that a man besides going down can go up? A. Yes.

Q. That is putting up one ladder? A. Yes.

Q. This bridge, was it from every story or only one story? A. On every story.

Q. Now that is something you had not done two years ago?

A. I beg your pardon, we did that bridge two years ago.

Q. Now that is required and that is additional? A. That is additional.

Q. "Provide fireproof windows at all openings on course of fire escapes?" A. That means something more, twenty windows on a floor.

Q. Does every window open onto a fire escape? A. Absolutely.

Q. How is that? A. Because there are so many fire escapes to this building.

Q. Why are there so many? A. Because I presume when the building was built originally it was desired to have all the egress that could be obtained at the time.

Q. Wherever you don't want to use it as a fire escape you don't have to put in fireproof windows? A. So I understand.

Q. So that it is only where a fire escape is required that you have to put the fireproof windows and in no other cases and the fire escape is not required at all. (reading further) "Provide fireproof windows within 8 feet in a horizontal line" — that is where you put your balconies across? A. We have them there; we knew enough at that time.

Q. (reading further) "Provide fireproof windows within ten feet of a vertical line of any part of fire escape balconies or stairs;" that is the same thing? A. Yes, sir.

Q. You had them there? A. Yes, sir.

Q. That is all there is about this order? A. That is the first sheet.

Q. (Reading further) Now "maintain a fireproof passage way 3 feet wide from the lowest balcony of both fire escapes on rear of building to street;" is that one of these cases where the fire escape comes down to a cul-de-sac? A. No.

Q. Is there any way of getting up? A. Absolutely there is.

Q. How do you get up? A. All of the fire escapes by means of stairs connect down stairs to the fire escapes of a number of adjoining buildings which have glass windows and which can be opened the same as the bridge windows.

Q. Then if that is the case this order is unnecessary, isn't it? A. I feel so.

Q. Didn't the department rule that way? A. I haven't as yet consulted them. I have asked for an interview to consult on this.

Q. The whole point is this, isn't it Mr. Laureyns, they don't want to let the people down from a fire escape into a yard from which they can not get out? A. Admitted.

Q. So they won't burn up like rates in a trap? A. Correct.

Q. Now if you have some way of getting out they will take it? A. I hope so.

Q. Is there any doubt about it? A. Not in my mind, except that this order reads otherwise.

Q. (Reading further) "Keep fireproof passageway adequately lighted."—if it is out in the open air it doesn't have to be lighted?

A. The rest we don't mind.

Q. Everything else is all right? A. Yes, sir.

Mr. ELKUS: I want to say, Mr. Chairman, to those gentlemen who have not been reached, that we will hear them all at some other time and give them due notice if they will give us their names and addresses.

FREDERICK H. NORWOOD addressed the Commission:

By Mr. ELKUS:

Q. Will you give your full name and address? A. Frederick H. Norwood, 288 Decatur street, Brooklyn.

Q. Your business? A. Cotton goods manufacturer.

Q. Where is your place of business? A. Lafayette avenue and Van Buren street, Brooklyn.

Q. We will be very glad to hear what you have to say, Mr. Norwood? A. I think more competent inspectors in departments would do away with the number of inspections. All my trouble has come from an incompetent inspector. A woman came around and went through my factory. I got a communication from the Department of Labor calling for eight alterations. She came around and made another visit, then held up our help and interviewed them on the sidewalk and finally I complied with all that was asked of me. Then she went over the place with a man inspector and as a result of that I have just got notice for fourteen more alterations. I have them here. This is a specific case.

Q. Your point is if she had been competent she would have given you all the orders at once? A. Yes, one inspection would have done it.

Q. That is what I referred to this morning: you don't want any piece-meal orders? A. I want an inspector who knows the business.

Q. You know how inspectors are selected I suppose? A. I guess I do, I have a slight suspicion.

Q. How? A. I prefer not to state.

Q. Do you know the name of this woman? A. Yes.

Q. What is her name? A. Helen McCormick, I think.

Q. She is an inspector of what department, State Labor Department? A. State Labor Department.

Q. Do you know whether she is a civil service appointee? A. I don't know anything about her except I know she told me I had better go over and find out in regard to some things and I only know the result of her inspection.

Q. Then, as I understand you, Mr. Norwood, you very properly complained that these things were put into two or three orders instead of one? A. The woman came in with another inspector and we went over it and they discovered 14 other requirements.

Q. And she ought to have discovered them all at once? A. It ought to have been done all at once.

Q. And if you had been given the proper notice, you had no objection? A. I had no objection. I did not care who made the inspection. I was threatened with prosecution if I didn't do these things. No sooner had I done it then some law was signed which made it unnecessary to do it in buildings that were constructed a certain time ago.

Q. What is it a four or five story building? A. Four story building.

Q. That was because the Legislature exempted those buildings afterwards? A. I know. I suppose somebody made a loud shout.

Q. This Commission had it done? A. I don't know. I thought it was the other thing.

Q. I am very glad you have given us the name of this inspector. Of course we can only lay this matter before the head of the Labor Department. This is a matter of detail of enforcement of the law. Is there anything else you would like to say? A. No, I don't care anything about the inspections.

Q. I understand you do not; you want to have the thing done at once? A. Yes.

Mr. JOSEPH O. HAMMITT (Chief Fire Prevention Bureau)
addressed the Commission.

By Mr. ELKUS:

Q. You are the head of the Fire Prevention Bureau? A. Yes, sir.

Q. Would you like to testify today or come later? A. It would be more convenient for me to testify today and I might say this, Mr. Elkus, if I can have about five minutes just to put on your record a few suggestions that I think are constructive, it won't embarrass me in the least if the remainder of the Commission leave before I am through. That is, it is merely to get these few suggestions on the record in which I have an interest.

Q. You are at the head of the fire prevention bureau and have been since the first of the year? A. Since the end of January.

Q. Go right ahead? A. In the first place there is a certain amount of conflict of jurisdiction under the existing law. There

is such a thing in this city as a building which is both a mercantile building and a factory building under the definition of the Labor Law. In such a building by reason of the fact that it is a factory building jurisdiction over exit facilities is vested in the Labor Department, which is charged with the duty of enforcing certain requirements regarding exit facilities that the defined and are fixed by the Labor Law. Because this same building is a mercantile building the fire department of this city has jurisdiction over the exit facilities, and upon the fire department is imposed a duty to enforce requirements that are made by the regulations of the different departments for the adequacy and safety of these exits. By reason of this division of jurisdiction over the same thing there is at the present time a certain amount of conflict. This has been taken up in conference between representatives of the departments affected and I have made this suggestion which I believe would eliminate the difficulty in respect to some of the most important cases of conflict. Those are cases such as several that have been mentioned here today of orders of the Labor Department requiring changes in fire escapes. Those orders are issued by the Labor Department because of provisions of the Labor Law prescribing that windows opening on the fire escapes in factory buildings must be fire proof; that the stairways of the balconies must be built at least 60 degrees and that certain other requirement must be complied with. I believe it is possible to interpret that law that such changes should be made only in respect of fire escapes that are accepted and treated as required means of exit. Such is not the interpretation that at present is given to that provision by the State Labor Department and therefore I believe it is not probable that the State Labor Department under its present advice will waive the requirements for fireproofing the windows in any case except where the fire escapes are taken down.

Q. Won't they let you put bars up on the windows? A. The placing of bars on the windows, if they are made permanent, not easily removable, is virtually the same thing from the point of view of exit facilities as taking down the fire escapes.

Q. Except that the fire escape remains there then for the use of the fire department? A. Of the fire department in fighting fire. But I believe that if the law is not at the present time in

such shape that it can be interpreted as making unnecessary the enforcement of these requirements affecting fire escapes that are not treated as required means of exit then the law should be so changed as clearly to mean that. If that is done and done quickly it will permit us to eliminate one of the largest elements of such legitimate complaint as can be brought to this Commission.

Q. Now in connection with that isn't it possible to have that law construed as it was intended to be construed and the reasonable way to construe it? A. I understand that in compliance with a suggestion I made the Labor Commissioner is asking the Attorney-General for an opinion on that subject.

Q. I am frank to say that as we drafted that law, we construed it the way that you do, and that is the reasonable construction of it and it ought to be construed that way and that will do away with complaint, and you say the Attorney-General is now considering the matter? A. Yes. I understand the Labor Commissioner has or shortly will ask for an opinion on the subject from the Attorney-General.

Q. And until that is done are they holding up the whole subject matter, until that is decided? A. I understand not.

Q. They are filing complaints and not acting upon them? A. I do not know whether they are pressing those complaints.

Q. You do not know whether they are or not? A. I do not know whether they are or not. I think furthermore, that something can be accomplished through legislation in this way, to eliminate some of such conflict as exits, by giving through law, to some standard fixing board, authority to deal in a final and binding way with some matters in respect to which a different conclusion might be reached by different departments, because they look at the situation from different points of view.

Q. You mean where there is a difference of opinion? A. Yes, I mean, for example, in respect of such a question as vertical openings in the floors of a mercantile establishment. The Fire Department requires the protection of those openings by their enclosure in fire retarding material. The Health Department takes a sample of the air in the cellar of the department stores and as a result of an analysis of that sample they order additional ventilation. There is no conflict of orders but the Health Department

would accept the tearing down of that stairway enclosure as providing what it wants, namely, ventilation. It would not require it. There are rare cases of actual conflict of orders where it is caused by looking at the same thing from a different point of view. There ought to be, it seems to me, some standard fixing board, which would for example, provide a set of rules governing vertical openings in mercantile establishments and make those rules binding on both the Fire Department and Health Department. Then I would like to say something for this record to clear up the matter of multiplicity of inspections and piece-meal orders. The situation in the Fire Department and in the State Labor Department is much like this: a large number of complaints are received every week regarding conditions in buildings —

Q. That is complaints from citizens and other people? Is that right? A. That is true but it is also true that in the Fire Department and also in the Labor Department 80 per cent. of the complaints are not from citizens but from other city and State departments which have made inspections of buildings and have observed conditions and violations of law the enforcement of which is not under their jurisdiction. The method now used by the Labor Department (which is the method formerly used by the Fire Department) is to inspect each of these buildings respecting which a complaint is made, and in the one inspection to attempt to cover every condition in that building required to be remedied. That results in a single inspector devoting perhaps an entire day to the examination of a building upon which a single complaint is received. It has resulted in the complaints in the Labor Department piling up by the hundreds — I don't know how many beyond those that can possibly be reached by the present inspection force. I found that condition in a very aggravated state in the Bureau of Fire Prevention when I took charge. There were orders being prepared at that time by the examiners on inspection reports that had been prepared seven months before, meaning that the examiners were months behind the inspection force. The clerical force that prepared the orders was perhaps six weeks behind the examiners. The complaints coming in week by week were accumulating at the rate of 100 or 200 a week more than those that were reached by the inspectors. There were pending unattended to 10,000 complaints that were on the records. I found tied up in

bundles and dumped in the cellar of the offices in Manhattan and Brooklyn some six thousand others, making a total of 16,000 complaints unattended to. Now, obviously, to make complete inspection of the buildings affected by those complaints would merely accumulate that work and the result would be that the department would not have taken advantage of information brought to its attention through complaints of fire hazards. The way we are treating those complaints is this: we have placed together all those affecting a single building. We have routed the buildings so as to reach the largest number in the shortest possible time and we are inspecting only on those complaints. That will make during the course of this year a series of piece-meal orders but it will not result in any conflicting orders and at the end of the year we will probably have cleared up that business. It will get us away very quickly from the method of inspecting different complaints which is an unfortunate method for the department to use the larger part of its force upon, because it means the man that has an enemy is apt to be discriminated against. Furthermore, we are obtaining now from the Labor Department, from which we receive the greatest number of these complaints, such additional information not formerly furnished as the name of the person responsible for the violation and his address, and the location of the violation on the premises inspected, and on that basis we are writing these people, instead of making an inspection, (which eliminates one of your duplicate inspections) calling their attention to the fact that the Labor Department has informed us of a violation existing on their premises and suggesting they would probably agree to remove that and not have the issuance of a formal order and that we will reinspect within ten days and see if it is complied with. On the first inspection we will make we will find 50 per cent. of these orders have been complied with and it is unnecessary to make further inspection.

Q. That is an example of co-operation? A. It is and the same thing can be done by the Labor Department on reports received from the fire department.

MR. ELKUS: That is all for today.

COMMISSIONER GOMPERS: Before this Commission closes today I want to indulge myself with an observation or two if I may be

permitted. I doubt that any one who has attended this hearing today but who must be affected by the valuable information elicited and I think I can say for my associates and for Counsel that there is no intention on our part to inflict the slightest injury upon the interests represented before this Commission, either today or at any other time. We have been exceedingly careful in trying to avoid inflicting unnecessary injury, but I think it is common observation to any student, at least, that there is no possibility of doing a great act to a large number of people without it must necessarily inflict some degree of loss upon some. That is the law of compensation in the world's development. The cause of the creation of this Commission, primary cause, was a great conflagration in which the lives of 140 humans were snuffed out. Perhaps no one incident in all our country made so deep an impression or aroused such consternation and indignation as did that conflagration, the killing of those workers, and the ascertained fact that it could have been prevented, the loss of life could have been prevented to a very large degree at least. The Commission was created for the purpose of ascertaining the facts, and making recommendations to the Legislature, by which the loss of life would be reduced, the possibility of such conflagrations, the possibility of injury might be lessened. In the course of such an investigation, in the course of the recommendations which we have made and adopted in large part by the Legislature some interests have been affected, but affected and hurt only temporarily. There can be no permanent injury to the rights of all the people or of a group of our people which has for its effect the safeguarding of the health and lives of the citizens of our community. During our investigations there have been witnesses come before us and we have gone into investigations both in this city and in the other cities of the State, and we have found conditions that simply would shock the conscience of men. We have gone into the factories and some of the large establishments up-State and saw human misery unparalleled, perhaps, in any part of the world. We have seen work carried on where prisoners would not be required to work under such inhuman conditions. In our tenement houses, in the canneries, we have seen little children, four, five, six years of age, working long hours; in the tenement houses making the flowers that garland the dresses

of milady. We have seen children taking the stitches out of garments, working on the garments that were on sale in some of our prominent stores. We have seen children who have been picking nuts for the confections which adorn the tables of our so called best people. We have seen workers in sweat shops and all these things going on in spite of the law, in spite of the aroused consciousness of the people of the State. We can't help that some interests may be injured temporarily, but I think that this Commission and these able assistants are actuated by the desire of doing right, of interpreting the social conscience of our time, and to hold that, while we have no intention and it is not our purpose to attack property and property rights we still have a high conception of human rights, and we believe that the legislation which we have accomplished, the legislation which we have assisted in having enacted by the Legislature of the State will tend to our industrial and commercial prosperity and to make a better concept of the value of life. We shall hope to accomplish more, and with the least possible injury to anyone, but we are going to try and make this Empire State a community of people for which we shall have no cause to blush when challenged by the judgment of the world now or for the future. I am proud in having been able to contribute in ever so slight a measure to the work of the Commission. I am proud to be associated with the Commission and these excellent, able, unselfish, earnest and faithful counsel.

Mr. ELKUS: The next hearing will be duly announced.

**HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATING COMMISSION, HELD IN
ROOM OF TRIAL TERM, PART XVII, OF
THE SUPREME COURT, COUNTY
COURT HOUSE, NEW YORK
CITY, MONDAY, NOVEM-
BER 23d, AT 10.30 A. M.**

Present — HON. ROBERT F. WAGNER, *Chairman*.
HON. ALFRED E. SMITH, *Vice-Chairman*.
HON. EDWARD D. JACKSON.
MISS MARY E. DREIER.
HON. LAURENCE M. D. MCGUIRE.

Appearances — HON. ABRAM I. ELKUS, *Chief Counsel*.
BERNARD L. SHIENTAG, *Assistant Counsel*.

Mr. ELKUS: Mr. Chairman, and members of the Commission, today's session is for the purpose of hearing discussion upon a method of avoiding multiplicity of inspection of buildings and manufactories.

The Factory Investigating Commission has adopted no plan of its own. A tentative suggestion has been made, which, for the purpose of discussing and to bring forth the fullest argument upon the subject, has been placed in bill form; so that those who desire to discuss the matter could do so with a concrete basis for discussion. It is to be hoped that the owners, manufacturers and employers of labor, as well as the officials of the city and State, will come forward with full suggestions, which the Commission may then discuss with them, so that in the end a plan which will, if possible, be agreeable to all concerned, may be adopted and recommended to the Legislature by the Commission.

It cannot be made too clear that the Commission has adopted no plan in the matter. The hearing is solely for the purpose of hearing discussion upon any plan which may be presented.

In the proposed tentative plan, Mr. Chairman, the Tenement House Department was included. There has been a good deal of discussion whether that department should not be excluded, even in a preliminary discussion, from the operation of the plan. It has been pointed out that the Tenement House Department exercises a unique function in the city, being charged with the responsibility of looking after the living conditions of the people who dwell in the tenements. There has been found to be very little multiplication of inspection in which the Tenement House Department is involved and what little there is may be readily remedied.

The Tenement House Department in a sense is a welfare department as distinguished from a department dealing with the construction and alteration of buildings. There undoubtedly is some question as to whether the new department of buildings should not exercise complete jurisdiction over the construction of tenement houses and whether it would not be advisable to eliminate the present duplication with reference to the filing of plans for tenement houses now in the Building and Tenement House Departments.

This is the general attitude of the Commission, as I understand, based on a preliminary investigation of the subject. We are, however, open to suggestions from all those interested.

I might say to the Commission, and to those assembled more than to the Commission, that a great number have signified their desire to be heard today, and every one will be heard if it is possible. We will ask them, therefore, Mr. Chairman, if they will be as brief as possible, and any one who wants to ask questions of any witness may, of course, do so, within proper bounds. The first witness we shall call will be Mr. Rudolph Miller, of the Borough President's office, Commissioner of Buildings, and an expert on this whole subject.

HON. RUDOLPH P. MILLER, addressed the Commission:

MR. ELKUS: Mr. Miller, just one preliminary question, you have made a very careful study of the whole matter which we have under discussion?

MR. MILLER: Well, I have given it a good deal of thought, yes.

MR. ELKUS: Will you go right ahead Mr. Miller, and give your views to the Commission upon the whole matter.

MR. MILLER: I do not know that there is much I can add to what I have already stated on previous occasions. I believe there would be a very decided gain in efficiency and economy if the several departments and bureaus of the city now having jurisdiction of buildings could be combined into one. I think the main advantage to be gained by such a consolidation would be the enforced cooperation that would result. At the present time with five bureaus of buildings reporting to five different borough presidents, each selected by his constituents in the borough, none of them in any way responsible to the other, the Tenement House Department and Fire Department responsible to the Mayor, who is also independently elected, and the Labor Department responsible to the Governor, another elective official, the cooperation that is needed is very difficult to get if not almost impossible under certain conditions. That I feel is the main argument for such a consolidation.

In glancing over the proposed draft I have noticed that it is intended to make as a part of this consolidated department a board of standards and appeals taking the place practically of the present Board of Examiners. Such a board of standards I believe is a desirable thing. I think, however, it should not be a board of appeal in the sense in which we understand that term now and its present application. There is not a case that is being carried to the Board of Examiners that could not serve as a basis for the establishment of a general rule or principle. I feel that the appeal should not be sought on the individual case but rather on a general interpretation. There is no reason why an applicant could not make an appeal in a particular instance, but the Board should establish a rule with regard to it and not pass on it as an individual case. In the constitution of the Board it is provided that the new building commissioner shall be the chairman of the Board; and the Fire Commissioner is to be a member of the Board. I would suggest that both those officers be empowered to delegate that duty to subordinates, let us say the deputy commissioner, so that one of the deputy commissioners of the Building Department would be the chairman of the Board and in view of the fact that certain jurisdiction of the Labor Department is to be taken away

from them, so far as the city is concerned, it seems to me that the Labor Department might well have a representative on that Board of Appeals.

Mr. ELKUS: Mr. Miller, I understand that you have already in previous hearings before the Commission, expressed yourself in accord with the proposed tentative plan?

Mr. MILLER: Yes.

Mr. ELKUS: And you have examined this first draft of a proposed law, you have made your suggestions in reference to them?

Mr. MILLER: Yes.

Mr. ELKUS: Does the Chairman wish to ask Mr. Miller any questions?

The CHAIRMAN: Is there any one who desires to ask Mr. Miller any questions?

Commissioner DREIER: Would you exclude the Tenement House Department from this combination?

Mr. MILLER: In my judgment it should not be excluded. That of course is a question that is open, perhaps, to some debate, as the Tenement House Department has a double duty, that of welfare work as well as supervising construction to some extent. I think at least that part of the Tenement House Department work which has to do with buildings, especially new buildings and alterations, should be delegated to the Department of Buildings. The other work might well be done by a department which has general welfare under consideration. If there is to be any separation of work of that kind then I would say that the proposed new building department should at least have jurisdiction over everything relating to new buildings or alteration of existing buildings, that is, over the construction, the equipment, and arrangement of new buildings, and buildings as they have been altered, leaving the maintenance of conditions possibly to other departments; but I personally believe it would be desirable to combine all of that work under one department.

By Mr. CHARLES POPE CALDWELL:

Q. Mr. Miller, you are now in the city employ are you not?
A. Yes.

Q. Your position is what? A. I am engineer for the Board of Aldermen.

Q. You were at one time a building superintendent in the Borough of the Bronx? A. In Manhattan.

Q. Your idea here is based upon the facts that you found in your work as Building Superintendent of Manhattan that there was some trouble that you could not attend to or you could not give the people relief if they wanted? A. No.

Q. You found, did you not, while you were building superintendent, that you could meet the needs of the people of Manhattan, couldn't you? A. So far as my jurisdiction was concerned I met the needs of the people.

Q. So that if you had as good a building superintendent as you were in every one of the boroughs in the city of New York you would have a very successful building department, wouldn't you?
A. I won't express any opinion on that.

Q. I will take your opinion? A. I won't express any opinion on that.

(Question withdrawn.)

Q. Now do you know how long it takes under the present method in the Borough of Queens for a man who has some objection to his plans to have it corrected? A. I don't know.

Q. Have you made any inquiry to find out that it has been done within twenty-four hours and has been done in that way for more than a year or two years? A. I don't know.

Q. How long does it take in Manhattan for relief to be granted to people of that kind, do you know? A. That depends upon the application, and the interest that the applicant himself displays in the papers before the Bureau.

Q. How long as a general thing? A. Take anywhere from a day to two weeks.

Q. Now under your centralized plan how many people would be passing upon these questions that are ordinarily now passed upon by the building superintendent in each borough? A. The same people would be passing upon them.

Q. You mean there would be a man in each bureau, the only difference then would be that the appointment would be by the Mayor, rather than by the Borough President? A. I think that is the only difference so far as the present Bureau of Buildings is concerned. However, the plan, the details of organization, are not in here, except that in each borough there is to be a deputy, a chief inspector as they call him here.

Q. Will the chief inspector have the power to grant those reliefs that are now granted by the Building Department? A. I should say that he should. It is not clear as far as I can see from this draft that he will have that power, but in my judgment each superintendent of buildings, I would call him, in the boroughs, would have the jurisdiction of his own bureau, and the appeal would be taken to commissioner only where it was found that possibly things are done differently in different boroughs and to the disadvantage of the people. I believe the laws can very well be administered in Queens differently than they can be in Manhattan and without any injustice to anybody.

Q. Now, Mr. Miller, isn't it a fact that the building superintendent comes closer in touch with the developers of the county than any other public official, I mean the men who are building the county or borough, as the case may be, the building superintendent is closer in contact with them than anybody else? A. I should say he is.

Q. Every man who is pouring out his thousands and thousands of dollars to make this the greatest city in the world comes in contact with that man? A. More or less.

Q. And each borough has its own problem to solve in the matter of its development? A. Yes, in the matter of development, but that is none of the superintendent of buildings' business. He is simply to enforce laws that are written on the statute books. He has some definite thing to do. The superintendent is merely a police officer to see that the public is safeguarded against the results of violations of the building laws.

Q. Isn't he there also to help the builder with suggestions which comes from the wisdom of his experience? A. No, sir, he is not there for that purpose.

Q. Don't you think that he should do it? A. As a matter of expediency he might do it, but that is not his function.

Q. Where a building superintendent works in co-operation with the men who are developing the county there is a greater likelihood of more business confidence and there will be a better result between them, isn't that true? A. I am not prepared to say that it is. It seems to me that it isn't a matter that has anything to do with this question.

Q. What I am getting at is this, Mr. Miller: I wanted to bring out here that a building superintendent who works in conjunction with the people who are developing his community is a better building superintendent than a building superintendent who hasn't the welfare of that particular community at heart, for the reason that the co-operation between the building superintendent and the builder tends to an increase of the business enterprise of the community. Now if that is the case — I want to state the idea that I have in mind so that you can follow me — if that is the case isn't it better that the man who is to cooperate with the builders of the community should be appointed by the man who was closer to that community than the Mayor? A. Well, that is a matter of judgment.

Mr. ELKUS: Mr. Caldwell, whom do you represent?

Mr. CALDWELL: I represent the Forest Hills Taxpayers' Association.

Q. Now the prime requisities of a building superintendent or inspector, as this bill would provide, is that he should be honest and competent, isn't it? A. That is a prime requisite for any official.

Q. Now do you think the Mayor is any better able to pick a local man for the different boroughs, for honesty and competency, than the various borough presidents who have been elected by those localities? A. That depends on who is the Mayor and who are the borough presidents.

Q. You think in this particular instance, for instance, that Mayor Mitchell could pick better men than Borough President Marks? A. I object to personalities.

The CHAIRMAN: Don't let us waste time on that.

Q. Don't you think the people would have a better opportunity to bring results to bear upon a person who is closer to them than the Mayor? A. I don't think so.

Mr. ELKUS: Mr. Caldwell you say you represent the Forest Hills Taxpayers Association?

Mr. CALDWELL: Yes, sir. It is a taxpayers' association composed of all of the taxpayers of Forest Hills. We are one of the fastest developers in Long Island. Within a period of five years we have built three million dollars worth of houses.

The CHAIRMAN: I want to say to other gentlemen who will be called here to discuss this question that they need not submit to the questioning on the other side unless they choose to. That is to all the witnesses on the stand. You are not to be subjected to cross examination unless you desire.

Mr. HENRY BRUÈRE, addressed the Commission.

Mr. ELKUS: Mr. Bruère, you have corresponded with me and with others, and we have had a good deal of talk about these proposed suggestions, and I know you have given the matter considerable study and we would be very glad to have your views.

Mr. BRUÈRE: I think the question is a very simple one, Mr. Elkus, at this particular time. I think that either you have to consolidate the various building and inspection functions under the borough presidents, or you have to put them under a general department responsible to the Mayor if you desire to obtain uniformity in the treatment of buildings and concentration of authority with respect to building matters. I believe your bill goes a little further than it is necessary to go in order to obtain the results aimed at, namely, the removal of the opportunity for duplication and conflict. A conference was called by the Mayor last week of the heads of various departments under his jurisdiction which have some relation to buildings to consider your proposed measure and to offer suggestions with reference to it. They were asked by him to prepare, on the basis of that conference, a definite recommendation for you and that is now in

progress. Mr. Hammitt is preparing the original draft and we had hoped to present it to you at this hearing or at such hearing as you might afford us on this question. We agreed, generally, at this conference, Mr. Adamson, Mr. Hammitt and several other members of the Mayor's departments being present, that the function of building supervision, and building inspection should be established in a central department of buildings. Again this, of course, we recognized there is a very marked, and in a measure reasonable opposition on the part of the borough presidents and borough authorities, who believe this to be purely a local function. We feel that the experiment in 1898 which has been pointed to as disastrous is not a fair experiment because the work assigned was new and because there had not been worked out adequate methods for supervision and administration. The whole government at that period we regarded as pretty much of a failure I believe. We believe that there should be taken from the Fire Prevention Bureau of the Fire Department jurisdiction over the physical alteration of buildings, except to reserve to the Fire Department power to point out the needs for such alterations in so far as they relate to fire prevention conditions or egress in case of fire. We believe there should be preserved to the Fire Prevention Bureau power to supervise the maintenance condition of buildings, so as to prevent fire risks. We believe that structural alterations now laid down by the Health Department should be relegated to a central department of buildings. We believe the inspection of lighting installation should be taken from the Water Department and given to a Central Department of Buildings. We believe that the regulation of new building construction and the alteration of buildings now vested in the Tenement House Department should be relegated to a central department of buildings. In place of its present activity the department should be explicitly charged with maintaining standard conditions in tenement houses as places of residence, and which can not be well relegated to a central department chiefly interested in the construction of buildings.

Now this suggestion does not go as far as your suggestion does. We think your plan to have a board of standards admirable, and we think that Mr. Miller's suggestion for the working out of that

board is a wise one. We can not see, however, how you are going to have harmonious supervision and a definite plan unless you have some such power as we have suggested, namely, some central authority responsible for the enforcement of standards of supervision. Now, I think as a compromise measure, if a compromise becomes necessary, the city should be given pretty broad home rule powers in regard to this matter. If I were to speak my own mind only I should say that the process of centralization should be very gradual. We can not afford to take away emphasis on the work of fire prevention. We can not afford to take away the protection thrown around living conditions in tenements. We haven't gone far enough in establishing suitable conditions in this city in respect of these matters. We can not afford to bring about disorganization by attempting to organize too large and too complex a department suddenly, but I believe you can skeletonize and establish a central department which shall be regulated by the Board of Standards and to which an appeal may be made, as Mr. Miller points out, both with regard to general questions and in particular cases. Perhaps that is wise. I am not competent to say. Now against that suggestion you have the argument that building control should be local. The argument indicated by the gentlemen who cross-examined the last witness, the question of competency of appointees does not seem relevant. If I understand the temper of the people of this city regarding city government with a central department of buildings you are going to have the kind of supervision and administration to which you may safely entrust these delicate and important matters which effect the lives and health of the people. I believe that if you establish a department of buildings with a board of standards to prescribe its rules there will be recognition of the different requirements for the different sections of the city, and there will be attention to questions of local convenience. In short you will certainly not have any decrease in the present efficiency of service and you will make a distinct gain by obtaining uniformity of regulation and concentrated instead of scattered authority.

Mr. ELKUS: And if there were a lot of work to be done in one department and not much in another it would permit of transfer?

Mr. BRUÈRE: Unquestionably. I think the powers now vested in the Labor Department in regard to building construction should be relegated to the building department.

Mr. ELKUS: Your plan as I understand it is to skeletonize this new department; turn over to it all the new work that is to be done?

The CHAIRMAN: New and alterations.

Mr. BRUÈRE: New and alterations, yes, sir.

Mr. ELKUS: Now take this case — then afterwards if this department was found to be a success turn over everything practically to it.

Mr. BRUÈRE: Yes, that might take some years.

Mr. ELKUS: In other words do the thing gradually.

Mr. BRUÈRE: Yes. The chief thing it seems to me is to establish by law a board of standards and some means of regulating the interpretation of the law.

The CHAIRMAN: You mean this gradual regulation to be by the Legislature?

Mr. BRUÈRE: Empower the local authorities to transfer existing bureaus to this department.

Mr. ELKUS: Put the bill substantially in its present form but authorize the local authorities, the same as in the Home Rule Law, to put the different departments in as they see fit, as times and conditions warrant.

Mr. BRUÈRE: Yes, sir; but to make mandatory the Board of Standards.

Mr. ELKUS: As I understood your plan, suppose this occurred now, that the Tenement House Department ordered an alteration in the building and also the Bureau of Fire Prevention ordered an alteration in that same building — that might happen under your view of it?

Mr. BRUÈRE: We had in mind as we discussed it that the orders as they were prepared by the inspectors of these departments

would be referred to the Department of Buildings and put into effect, the execution of the work to be done in one place.

Mr. ELKUS: Where even an alteration was involved — the same as in a new building?

Mr. BRUÈRE: Yes.

Examined by Mr. CALDWELL:

Mr. BRUÈRE: I am not inviting questions but I would be very pleased to try and answer the gentleman's questions.

The CHAIRMAN: It is optional with you.

Q. Do you happen to know how many departments are now under the Mayor, the heads of which are appointed? A. Yes, twenty-six.

Q. And do you happen to know how many employees those twenty-six departments have? A. Approximately 30,000.

Q. Now then under the various borough presidents there are five or six bureaus as a usual thing? A. Not always.

Q. As a usual thing I say; how many do they appoint in Manhattan? A. Manhattan has public works, you might say five or six. They are not always separated into bureaus.

Q. Generally speaking they are either bureaus or departments? A. Yes.

Q. How many employees are in those, do you know? A. A very considerable number.

Q. This would tend to add to the mayor's branch of the government about how many employees and take them away from the borough presidents? A. I don't know how many there are in the Bureau of Buildings, perhaps five hundred or six hundred.

Q. In each bureau? A. No, altogether, but I am not certain of that.

Q. At any rate it would take away from the small number that are now under the various borough presidents and added to the large number now under the mayor? A. You would make various adjustments, taking away from the fire and taking away from the tenement —

Q. But it would add it to the mayor's duties rather than the borough presidents to put it under his supervision rather than

leave them under the supervision of the borough presidents? A. Put it under the supervision of the head of the city government.

Q. This plan you have does not contemplate saving money? A. It will.

Q. It will, but it has not been figured out to save money? A. You never can figure that out in advance.

By Mr. OLVANY (Representing the Real Estate Board of New York):

Q. Do you favor taking away the present jurisdiction of the present State Department of Labor over construction and alteration of buildings and giving it to the new department? A. I should think there would be one department dealing with buildings, and Mr. Adamson made a suggestion which it seems to me is a very excellent one, that on the Board of Standard's representation, the Labor Department be provided for.

The CHAIRMAN: Mr. Miller made that suggestion.

Q. And jurisdiction over new buildings be given to this new department? A. Yes.

Examined by Mr. JOHN A. LEACH (Representing the Forest Park Taxpayers Association):

Q. Mr. Bruère, the Tenement House Commission is centralized now, isn't it? A. Yes.

Q. Also the Fire Prevention Bureau? A. Yes.

Q. Do you know any good reason for their existence, especially when the work is also covered by the building superintendents in the various boroughs? A. I know a great many reasons for their existence.

Q. You do? A. Yes.

Q. The Building Department as organized now in the various boroughs in fact duplicates that work now, do they not? A. No.

Q. It is not duplicated? A. No.

Q. I understand that it is? A. You are misinformed.

Q. I took great pains to try and be informed correctly so I do not think I am misinformed. We claim that the Building Department as organized now could for twelve thousand dollars take very good care of the work now done by the Tenement House Depart-

ment and Fire Prevention Department? A. You mean they could do it?

Q. Yes. We are in favor of consolidation, but consolidation under the borough authorities. We want to leave them as they are. We do not want them centralized. We believe that a building superintendent at three thousand dollars is better than have a deputy there at ten thousand dollars?

Mr. ELKUS: Isn't it now under the Borough President?

Mr. LEACH: Yes, but we do not want it centralized under a deputy.

Mr. ELKUS: What I understood Mr. Bruère to ask you was whether you were in favor of this plan provided the power was lodged in the superintendent in each case?

Mr. LEACH: No, we want it to remain just as it is. We want it lodged in a building superintendent and a building superintendent appointed by the president of each borough. We have had too much centralization.

Mr. ELKUS: As I understand your questions, you want the Tenement House Department in each borough, the Bureau of Fire Prevention in each borough, transferred to the Building Department in each borough?

Mr. LEACH: Exactly and save a whole lot of money.

Mr. ELKUS: That is just what Mr. Bruère asked you?

Mr. BRUÈRE: The alternative as I said in the beginning was to put them under the Borough President?

Mr. LEACH: I am not in favor of having them put under the Borough President, because they are useless.

The CHAIRMAN: Your idea is to abolish city government and put them under the Borough President?

Mr. LEACH: Not exactly, but some of the city government is useless.

Hon. GEORGE McANENY, addressed the Commission:

Mr. ELKUS: Mr. President, we would be very glad to hear your views upon this whole matter. I know you have studied it very carefully.

Mr. McANENY: I formed my first impressions of this some years ago, while serving as a member of the commission appointed by Governor Hughes to revise the city charter. The solution offered by that commission was the consolidation of the building bureaus of the borough in a single department of buildings. I am strongly of the opinion to-day that such consolidation should go further; that it should incorporate the Tenement House Department, the Bureau of Fire Prevention and those detached sections of departments that are enumerated in your bill. My only doubt is as to the proper time when this should be done. As you know, the city has appointed a new charter revision commission of which I happen to be serving as chairman. That commission will associate with itself a certain number of lay members, unofficial members at least, and we plan to send a charter to Albany in 1916. In the meanwhile we shall have the year of the constitutional convention, and the charter work running parallel with that of the convention will enable us to go to Albany with a document that embodies any changes in the city system that the Convention may have established. For that reason I have doubted the wisdom of pressing these radical changes at the present session of the Legislature,—the coming session. I have considered as a possible alternative, if immediate release from some of these conditions of over-inspection is desired, uniting these functions under the boroughs and leaving for the later debate the question of city wide centralization. That in general is my view. Broadly speaking, I am heartily in favor of the plan of centralization that you propose.

The CHAIRMAN: Does any one want to ask any questions?

Mr. McANENY: I was about to add that my judgment in this matter is based not merely on that of a student, in the charter commission, but upon my four years' experience as President of the borough of Manhattan. There is no doubt whatever that the city service suffers waste and more or less of complication because of

the existence of these separate bureaus. I was very much opposed to the legislation which took away from the bureaus of buildings the inspection that is now concentrated in the Bureau of Fire Prevention. The talk of creating some centralized bureau of inspection upon which each of the separate department might make their draft, on the other hand, I think would be absolutely impossible of realization. The inspectors must serve the authority they represent and be part of it. A separate bureau that merely furnishes inspectors on detail for the fire department or for the building department or for the tenement house department, in my judgment, would be very inadequate and insufficient and I therefore prefer your remedy.

Mr. LEACH: If the Fire Prevention Bureau and the Tenement House Department are abolished and the work done under the superintendent of buildings in the different boroughs could not a million dollars per annum be saved?

Mr. McANENY: I am not prepared to say how much could be saved nor do I believe if you speak of functions, that these departments should be abolished. Of course they have functions separate from the superintendent of buildings. But the amalgamation of the three under one head would accomplish the same purpose, it would save a great deal of money.

Mr. LEACH: I went over the figures and I figured a million dollars that could be saved if the building department were to carry on the work of the other departments.

Mr. McANENY: I imagine it would be difficult to arrive at any figures until we got to work on the plan.

Mr. LEACH: With your four years of experience as Borough President, would you say it could be done by the Building Department, that is now being done by the Bureau of Fire Prevention and the Tenement House Department?

Mr. McANENY: Under the sort of Building Department suggested here; yes.

Mr. LEACH: And it would not require a great deal of extra expense, would it?

Mr. McANENY: I think not.

Mr. LEACH: It would save about a million dollars?

Mr. McANENY: Again I am not prepared to subscribe to fixed figures.

By Mr. ELKUS:

Q. Mr. McAneny, to carry out the gentlemen's suggestions further, if all the building departments could be consolidated under one department, the amount saved would be still greater? A. I doubt if the separate departments could get along with very much less force than they have to-day, even if you consolidated them into one department. But I have always believed in the leveling of standards between the boroughs and putting a little more force behind the principles that should govern through them all.

Q. Which would come from a centralized department? A. Yes.

Q. Of course, also, Mr. President, a centralized department would permit of the transfer of employees from one borough to another, which could not be done now? A. Oh yes, they can be transferred now.

Q. From the Department of Buildings in Manhattan to the one in Queens? A. They can, as between departments, with the approval of the Civil Service Commission.

Q. I mean for temporary purposes due to an extra rush of work? A. That would be possible to a larger degree than at present.

By Mr. LEACH:

Q. It would not be necessary to transfer them if the two departments were abolished, would it? A. When you talk about abolishing something I am talking about amalgamating. Necessarily the employees of the present Tenement Department and Bureau of Fire Prevention would go to the new bureau and be part of its composite force.

Q. Whether there was any necessity for work for them or not? A. I should judge there would be considerable necessity.

Q. My experience has been if there is no work for them and if departments are abolished they must go on a preferred list? A. If the functions were also abolished it would be merely a transfer of functions to a centralized authority.

Examined by Mr. BIRCH HELMS (of the Advisory Council of Real Estate Interests):

Q. Wouldn't it be more possible to work out this plan of consolidation through borough departments to-day? A. I think that that is so if intended for immediate operation — it could be done more easily upon the borough basis to-day than upon the city wide basis.

Q. That is, this general principle of consolidation could be worked out through borough departments and it would be more feasible to-day than through city departments? A. That is my judgment if it is done at once. I think the ultimate basis should be the centralized city department.

By Mr. ELKUS:

Q. That is, your idea is, that legislation should now be enacted transferring the functions of all of these departments into one great department of the city, authorizing the local officials, however, to consolidate the departments as and when they see fit? A. If that authority were given, leaving it to the city authorities, I should think it would be a step forward. The mandatory form I should hope will be held until we get our new charter.

Q. Your idea is, until the new charter comes in you would let it go to the different boroughs, let all this authority go to the different boroughs? A. I think that would be a distinct step forward.

Q. In the new charter you would be in favor of creating a new department? A. That is my view, subject to the debate of the coming year.

Q. So that you want to postpone consolidation for a year? A. Yes; let it stand absolutely for a year, or put it on the borough basis until we are ready to go ahead with the other.

Mr. ROBERT E. SIMON addressed the Commission:

Mr. ELKUS: Mr. Simon, whom do you represent?

Mr. SIMON: I represent a committee of delegates from the following organizations:

MANHATTAN

Advisory Council of Real Estate Interests.
Building Managers' Association.
Citizens' Union.
Fifth Avenue Association.
Harlem Property Owners' Association.
Merchants' Association.
Real Estate Board of New York.
Twenty-third Street Improvement Association.
United Real Estate Owners' Association.
Washington Heights Taxpayers' Association.

QUEENS

Astoria Taxpayers and Business Men's Association.
Flushing Business Men's Association.
Queensboro Chamber of Commerce.

BROOKLYN

Brooklyn Board of Real Estate Brokers.

BRONX

Bronx Chamber of Commerce.
North Side Board of Trade.

RICHMOND

Staten Island Civic League.

A meeting was called at the rooms of the Real Estate Board on November 19th at which were present three delegates from each of these organizations and the following resolution was passed at this meeting:

"Resolved; That we favor the consolidation of all Departments and Bureaus now having jurisdiction over the construction, alteration, structural changes in and maintenance of buildings in New York City."

The organizations whose names I read voted in favor of it. The Citizens Union, the Harlem Property Owners Association

and the Washington Heights Taxpayers Association were not in a position to commit themselves but were generally in favor. The Committee asked me to appear here to-day and request that they be given an opportunity to be heard. They have not had an opportunity to study the tentative bill and the real estate interests would like to put up a solid front. They would like to agree upon a definite plan to conserve their interests best and then state what that plan is.

Mr. ELKUS: As I understand your resolution is in favor of the principle and you want an opportunity to work out the details?

Mr. SIMON: Yes, sir.

The CHAIRMAN: How soon will these views be presented to us?

Mr. SIMON: I imagine the latter part of this month.

The CHAIRMAN: Will you present those in writing, Mr. Simon?

Mr. SIMON: The brief can be prepared.

Mr. ELKUS: And have them by the first of December, if possible, or if not by the tenth of December; will that be time enough for you?

Mr. SIMON: I think about the tenth of December will be sufficient?

By Mr. LEACH:

Q. May I ask what your business is? A. Real estate.

Q. And did I understand you correctly when you said that some of these organizations asked you to appear regarding this resolution that was adopted and did not know the contents of the bill? A. No, that is not correct. A meeting was called at the Real Estate Board and the three delegates from each of these organizations were present. The tentative bill of this commission was before the meeting and the purposes of the bill was read. The purpose of the bill apparently appealed to the members of this general committee.

Q. Just apparently appealed to them? A. Did appeal.

The CHAIRMAN: The Commission understands you. I do not think you should be submitted to this sort of cross examination. As I understand it this committee agreed upon the general principle involved in the proposed plan but as to the details they had not studied them and desired to present their views later.

Mr. SIMON: Yes, sir.

Mr. LEACH: May I ask if the Citizens' Union you read is the former political organization?

Mr. SIMON: I don't know. They call themselves the Citizens' Union.

Mr. YOUNGER (representing the Citizens' Union): I want to make it perfectly clear that we attended this conference but we were not at that time prepared to take any attitude with respect to the subject whatever, nor are we at this time. We hope we can have a further hearing before your Commission. We want to give further study to the subject and will be prepared later.

Hon. ROBERT ADAMSON addressed the Commission:

By Mr. ELKUS:

Q. You are the Commissioner of the Fire Department and you have appeared before the Commission with reference to the subject matter under discussion? A. Yes, sir.

Q. We will be very glad to hear from you upon the matter? I know you have studied it and considered it pretty carefully. A. My feeling is that the tentative bill prepared here is aimed in the right direction to accomplish something which needs to be done, but it seems to me that it tries to accomplish too much at one stroke. There are undoubtedly too many jurisdictions now dealing with the subject of inspection of buildings. We have five superintendents of buildings in the boroughs and the State Labor Department and we have four city departments dealing with it, and of course that has created a great deal of confusion and created a deal of justifiable complaint, but so far as the bill goes in proposing to consolidate the Tenement House Department and the Fire Prevention Bureau at this time it seems to me it would be in the nature of a reaction instead of progress to do it. That, per-

haps, can come in time, probably in seven or eight years, but I do not believe that time has been reached yet.

Those two departments were created in response to a sentiment in the city that conditions existed which needed special attention and they have been giving special attention to the subject and I believe we can continue to do that without creating any conflict of jurisdiction or any confusion of administration at all. As Mr. Bruère stated there has been a conference called by the Mayor and I think he outlined pretty fully the plan that was there agreed upon. Of course, there are a good many details about it that were not worked out. It seemed to us that it would be in the line of simplification and would make it very much better from the standpoint of the property owner, and building owner, if the jurisdiction over this question were reduced. In other words, if there was a central building department for the entire city; if the jurisdiction now exercised by the State Labor Department were distributed into the logical departments where it belongs, and if the police jurisdiction now over boiler inspections and the Department of Water Supply inspection, the jurisdiction over wiring, installations, if those should go to the proper jurisdiction, either to the building or fire prevention bureau; that the central building department should have jurisdiction over plans for construction work and that the fire prevention bureau should look after the work of maintenance and proper conditions in buildings so as to minimize the chances of fires occurring, to save lives in case fires did occur.

Q. In case the maintenance which you speak of involves an alteration which department would have jurisdiction over that?
A. Involved in any alteration of what?

Q. Of a building? A. If it was an alteration which required a plan and the approval of a plan the fire prevention bureau should issue the order and a copy be sent to the Building Department. The Fire Department should do that, in my opinion, because it has the point of view of fire prevention, and conditions in this city still require a great deal to be done before that transfer can be made, in my opinion.

Q. Do you take the same view as Mr. Bruère, that the building department for the entire city should be as it was sketched

out by legislation with authority to take in and have this Board of Appeals and have the building construction put in there, the construction of new buildings and then with power to the city authorities to include all the other work as they from time to time see fit? A. Yes, I think there could be a gradual transfer.

Q. In other words, to authorize it, but to put off the time when it should be transferred so that it can be done gradually? A. Yes, sir, and I believe the agency for that would be this Board of Standards and Appeals. They could certify when the transfer should be made.

Examined by ALFRED E. OMMEN (representing the Typothetae):

Q. Do I understand you correctly when you state you favor the taking away of the powers of the Labor Department and distributing them among the other departments of the city of New York? A. The local departments.

Q. How would that reduce any of the troubles of inspection? A. It would certainly consolidate the inspections under one head.

Q. I thought you meant that everything should be in *statu quo* and that these various departments should exercise the jurisdiction they now have and that simply the Labor Department jurisdiction should be distributed among the various departments? A. I should say the Labor Department jurisdiction as to construction should go to the Building Department; as to fire it should go to the Fire Department. That is what I mean by distribution.

Q. If only from the Labor Department, isn't the centralization in the Labor Department better now than it would be in again distributing it to all of these various departments? A. Not in my opinion. I think the complaint that has arisen has come from this division of jurisdiction between a State Department and local jurisdiction.

Q. But you heard some gentlemen here this morning stating that their opinion is that the boroughs should exercise the jurisdiction; we have one State Labor Department that exercises one centralized jurisdiction with one inspection insofar as labor conditions are concerned; if the plans of these gentlemen were approved would you favor that the Labor Department jurisdiction should be put into the hands of each borough president to carry out, the fire and construction and all of that of the various

boroughs? A. I am advocating the centralization of the building department in one central city department.

Q. Not that the Labor Department jurisdiction should be distributed among the five boroughs? A. No. That should go into the other central department where it would logically belong.

Q. The question of factory inspection is not a borough question but a city question? A. Yes, sir.

Q. And the question of fire inspection is a city question and not a borough question? A. Yes, sir.

Q. The one point I want to make is that whatever jurisdiction the State Labor Department now has in a centralized plan you would favor that some centralized plan be made a city proposition and not a borough proposition? A. Yes.

Mr. ELKUS: In other words, the Labor Department's work would still be centralized and not divided up?

Mr. OMMEN: Of course. I am satisfied the manufacturers whom I represent do not want the jurisdiction distributed over five boroughs of that which is already centralized.

Mr. ADAMSON: No, the plan we have just discussed here provides in my opinion for a great centralization of power. It eliminates several jurisdictions and brings it down to the Building Department, the Fire Prevention Bureau and the Tenement House Department, eliminating all the rest from the administration.

By Mr. LEACH:

Q. You believe in centralization of the departments practically in New York City or Manhattan similar to the Fire Department? A. I don't understand the question.

Q. That is, the jurisdiction of the Fire Department is now under the Mayor and not under the presidents of the various boroughs? A. Yes.

Q. And that in your opinion is the best possible way it could be worked out? A. Yes.

Q. Do you suppose if the jurisdiction of the Fire Department in the Borough of Queens was under the Borough President that the two fire houses in Woodhaven would remain unoccupied up to this time?

The CHAIRMAN: I want to give you all the leeway possible, but I do not think that this is a hearing of criticizing of the administration of any particular department.

Mr. ADAMSON: I would be very glad to answer the question.

Mr. LEACH: This gentleman was testifying as an expert in favor of this bill. I want to bring out some things to show that some of them should not qualify as experts on this bill.

Mr. ADAMSON: My answer to the gentleman's question is that if the authority were vested in the Borough President that those two stations in Woodhaven would not be open at this time; is that the gentleman's question?

Mr. LEACH: I asked the Commissioner if the Borough President had jurisdiction over the Fire Department if the two houses in Woodhaven would have remained idle so long after their completion?

Mr. ADAMSON: In answer to that my answer is, I did not understand that there was any proposition to transfer the Fire Department to the Borough President, and if you want to know whether I think those two houses would be built, I might say this, that the Borough Presidents being members of the Board of Estimate and the Fire Commissioner not being a member, might get a great more, particularly on the Fire Commissioner's application for funds for apparatus for those departments, and we could probably have had them opened a good deal sooner. I might say there we have had pending before the Board for several months an applications to provide funds for this department.

Q. You understand I am not criticizing the Fire Commissioner for those houses not being equipped but I am trying to bring out that experts called to affect these bills — if other things were done it might be possibly better; now Mr. Adamson the Fire Prevention Bureau is in existence to-day; may I ask if the same work is not done by the captains of the local companies — if that was done by them before the creation of the Fire Prevention Bureau? A. They made semi-annual inspection and we have in addition to that monthly inspections.

Q. That is certainly duplicating the work of the Fire Preven-

tion Bureau — after the creation of the Fire Prevention Bureau? A. No, it is supplementing the work of the Fire Prevention Bureau. It had nothing to do with the construction of buildings. It has to do with housekeeping after the construction of buildings.

Q. The people from where I come have stated that the Fire Prevention Bureau should never have been organized, but it was largely the institution of one man who afterwards was appointed? A. The reports were regularly sent in and put away and not acted on because there was no power to act on them.

Q. They were all stacked away? A. Yes.

Q. Similar to the way deeds are in Queens county? A. I don't know anything about deeds in Queens county.

Hon. DOUGLAS MATHEWSON (President of the Borough of The Bronx) addressed the Commission:

Mr. ELKUS: Mr. Mathewson we would be very glad to hear your views upon this whole subject?

Mr. MATHEWSON: I shall be very glad to give them and at the outset I would like it understood that I am giving them as an individual with some measure of experience, quite as much as I am as Borough President. I do not expect to be Borough President forever but I am a resident of the city of New York and hope to be for some time. Might I say so far as the question of an additional appointment goes, that I feel that with one less appointment to make every borough president would have that much additional peace of mind. That is my experience. I want to say too that the views I express are based not entirely upon recent experience in my present office but upon an experience, running back through the years to a time when a good many gentlemen who are passing views upon this subject were not familiar with New York institutions. In the Assembly of 1898 I voted against the first Greater New York charter in response to the general demand of the people of what is now The Bronx, I being the only resident assemblyman at that time, because of the fact that it presented the same scheme of centralized government that is presented in this bill at present. You will recall that in the first Greater New York charter the government was centralized as to

all departments, as to highways and sewers, buildings and everything else. Prior to that time, The Bronx then being a part of the old City of New York, we had a water commissioner in Manhattan with deputies in The Bronx, and particularly at that time were we tried with the building department. It was a dismal failure and the builders who were operating in The Bronx at that time and who are now operating will tell you so. Notwithstanding the feeble protest of my youth, the charter was adopted and for four years New York tried a centralized form of government. Any one who recalls the four years from 1898 to 1901, the lack of doing anything practically in any department, appreciates the utter futility of trying to conduct an active, energetic government on that plan. The result was that in 1901 the second charter was adopted which did provide for borough autonomy — borough autonomy of highways, borough autonomy in the construction of sewers and in the supervision of buildings — and was drawn along the line, generally, that matters that required physical inspection, physical work, supervision of physical construction work, should be under the immediate authority of the local officials in the boroughs. Now I do not doubt, I do not suppose that any one does, that there are some functions that are essentially city-wide, such as those, of the Police Department, the Health Department, the Water Department — but as to this particular subject now before this Committee, my views, so far as they are worth anything, are these, there is at present a duplication of inspection which is expensive to the city and burdensome to the property owners. I believe that it should be divided at most between two departments, the first having to do with construction and alterations — if I make myself plain — the physical aspect, the erection and changing of buildings. That department I believe should be a borough department. Mr. Bruère stated, at least as I understand it, that it was conceded that under the 1898 charter, the centralization of this work under a city-wide department did not work smoothly, but that in view of the added experience of years it would work smoothly now. The answer to that is that city-wide departments do not work smoothly at the present instant, and when I say smoothly I do not mean that there is any friction but I mean that the same old question arises.

If there is a deputy in a borough he will not assume the responsibility because the Commissioner will not let him. That is my impression. I do not know that the commissioners have so instructed their deputies but I think it is very natural. If I were a Commissioner and responsible for the management of my department, I would not for a moment think of letting a deputy, for whose appointment I was responsible, in Queens, Richmond or anywhere else, pass on a matter of any importance. I would want it submitted to me. If that is the plan of this bill and it becomes law, and the old condition is restored, so far as actual physical construction goes, then it will require the submission of vitally important questions to those in authority here in Manhattan, to men who have little knowledge of local conditions unless they go on special occasions to one of the outlying boroughs to get that knowledge. I am against such a system. My view with respect to what I might call "conditions of use" is that I do not think inspection of such conditions are necessarily borough functions. I do not know but that they may well be made so.

Mr. ELKUS: You mean maintenance conditions?

Mr. MATHEWSON: Maintenance conditions. They are practically a police function, in the large sense of a police function. I do not think that there is any necessity for that supervision being vested in a borough official, but if not, I do think they should be consolidated either under the health or some other department. I do not think that there should be the duplication now existing. As to the argument that a local department as you have defined it, so far as physical changes in structures go, could not fulfill the functions of the Labor Department and that there would be a variety of rules in the different boroughs, I think the answer to that is very simple. As I understand the Labor Law, that has certain provisions as to structures. No local authority could vary them for a moment. It is simply a question of seeing that they are carried out. And so with regard to the Tenement House Law, which provides as to construction, cubic feet of air space, etc., and as to the Building Code. Those laws are for the State and the City of New York and not for any borough but for all of the boroughs. If, however, there were a borough head over physical

construction work or alterations or changes having to do with buildings, my suggestion would be that there should be some kind of an organization formed of the heads of the different boroughs to provide for uniformity of ruling in trivial matters. When I entered upon the discharge of my duties the first of this year, I found, for instance, as to street encroachments, privileges, etc., one thing was permitted in the Bronx and another in Manhattan and another in Brooklyn, and since the first of the year we have voluntarily, largely ended that by the aid and cooperation of the different building superintendents in the various boroughs so that there might be uniformity of action.

By Mr. ELKUS:

Q. As I understand you, Mr. President, you favor a consolidation of the departments that have to do this work we have been discussing, but as to some of them you favor a consolidation either in the building departments of the different boroughs or in some other department which shall be responsible to the borough head and in others they shall go to one centralized department? A. I say, while I do not favor the centralized department controlling uses, I have no objection to it. I think that that is perfectly logical. Inspection of uses may be termed a police function in the larger sense of the term. The other work of supervision of construction and alteration has to do with a physical something in the borough. The builders there prefer to go to a responsible borough official. They want a final decision promptly. They do not want to have questions affecting their work lead to a series of interviews between a deputy in a borough and the principal, out of it, with perhaps additional time consumed obtaining advice from the Corporation Counsel. We get this frequently in the different boroughs though.

Q. But what we are after is your view on the consolidation; that you are in favor of? A. I am. May I mention one or two other matters. My understanding of this bill is, it is purely tentative.

Mr. ELKUS: Absolutely.

Mr. MATHEWSON: I want to call you attention to one or two matters. I notice the salaries for the building superintendents

and deputies and chief inspectors are provided for. I would protest against that and ask that it be reconsidered. The Board of Estimate is responsible for the financial affairs of the city. There has been a good deal of legislation fixing salaries —

Mr. ELKUS: It is left blank in the bill.

Mr. MATHEWSON: It is as yet but —

Mr. ELKUS: You mean that you would provide that the Board of Estimate fix the salaries?

Mr. MATHEWSON: Yes.

Mr. ELKUS: The Legislature have nothing to do with it?

Mr. MATHEWSON: Yes, and I would suggest also what Mr. McAneny suggested, vesting the power in the Board as to their functions, which might be omitted in the bill prepared by your Committee.

Mr. ELKUS: Give a general power to the Board?

Mr. MATHEWSON: Yes, sir. I think there is also another question deserving of very careful consideration, and this is regardless of whether the commissioner would be appointed by the Mayor or appointed by the Borough President. He appears to have a most absolute power. In fact a person can not, as suggested here, even obtain an injunction from the Supreme Court until after five days. It does seem to me that is a little too much power to trust to one man.

Mr. ELKUS: Isn't that in the present Tenement House Law?

Mr. MATHEWSON: It is, I think, but if it is, it should be changed. My suggestion as to that would be that in a case of drastic action on one man's initiative it should receive the approval of some one. Probably of the appointing power. Affecting the vacating of a house because of disease — I doubt very much the wisdom of taking that away from the Health Department. The head of a new department should not be put to the responsibility of closing houses because of disease. He would need medical inspectors.

Mr. ELKUS: The bill provides reported to him by the Board of Health?

Mr. MATHEWSON: At their direction?

Mr. ELKUS: That is what the bill provides. Let me ask you this question: Are you in favor of some Board of Standards and Appeals, which ever plan is adopted?

Mr. MATHEWSON: There is no doubt that there must be one. I can not conceive of any scheme where there should not be such a Board.

Mr. ELKUS: Of course it would be a very extensive Board to cover all of these matters; you would be in favor having such a Board?

Mr. MATHEWSON: I would undoubtedly. Another thing, where it is provided that the Board of Standards has the power to call witnesses, may I suggest that there be put in the charter, if it is not already there, the general provision that any board or any head of a Department may do that. I trust these suggestions may be of some value because I understand as already stated, no one is committed to the proposed bill, it being merely a tentative form.

Mr. ELKUS: Would you have this Board of Standards a city board, or a borough board?

Mr. MATHEWSON: That should be city wide.

By Mr. OLVANY:

Q. Mr. President, how do you find the Tenement House Department Law working out in the Borough of Bronx in reference to construction and alteration of buildings, that being a centralized department? A. How do I find it working out?

Q. Yes? A. Do the real estate owners like it?

Q. Yes. As to plans filed by owners? A. The builders' plan — if I understand it the delay in sending plans first to one department and then to another — that would be covered in my general statement that whatever relates to structural work should be carried on in the one department.

Q. Do you think the Tenement House Department should be left alone and not consolidated with these other departments? A.

As I said before, I don't know that I am prepared to express an opinion on that, but I do think, if the Tenement House Department is not left all of its functions, the functions of inspectors as to uses as distinguished from control over structural work, then I should be perfectly willing to have that go somewhere else than to the Building Department, because I do not think it is an essential function of the Building Department to watch buildings after completion. However, such a department could do that work.

Q. As you know, the State Labor Department has control in reference to the construction and alteration of factories in New York City? A. Yes.

Q. Do you think that should still exist or be given to the new Building Department? A. No, I do not think the function of supervisor of construction work should be left with the Labor Department. The functions of the Building Department are to see that the laws are carried out. The factory laws provide certain things, as that bake-shops must have certain requirements, and the Tenement House Law has other requirements. Where things are prescribed by the Legislature as the supreme law-making power of the State, my idea is that the Building Department should be the administrative department to see to the carrying out of the laws instead of putting people to the trouble of going to three departments to have their work vised by each department. Such a result would be an improvement over existing conditions.

Q. Do you understand the Labor Law? A. I have a bowing acquaintance with most laws; I never pretended to understand them all perfectly.

Q. Then you must understand that the plans now submitted to the Labor Department must be submitted to the Building Department? A. I do.

Q. Then you don't believe in home rule in reference to the construction and alteration of buildings, do you? A. I believe in the very fullest home rule, but I believe the State of New York in the exercise of the police power for the care of its people should have the right to provide that the bake-shops in Elmira or Painted Post can be built in certain ways and of certain materials and that factories also can be built in this or that manner as to them may seem best. I do not regard that as a city statute.

Q. The question is, we have a building code in the city of New York which is being done by Mr. Miller. A. By the Board of Aldermen.

Q. Mr. Miller has been employed to frame a new building code by the Board of Aldermen? A. Mr. Miller has been employed as an expert to draft the code which the Board of Aldermen will act upon.

Q. Now, do you think that inasmuch as the city of New York has a building code that the State Department of Labor should say as to how these factory regulations shall be in New York? A. I see no objection to that; the police power is in the State.

Q. It is not a question of police power. A. I think it is when it comes to the safety of the lives of the people of the State.

Q. Is there any question but what the Superintendent of Buildings in New York City could amply take care of the buildings and alterations in New York City? A. I will make the same answer that somebody made this morning, that it would depend a good deal on who the superintendent was; do you mean one man in the city as a whole?

Q. No; is there any doubt in your mind but that a competent building superintendent could supervise the construction and alteration of buildings in New York City? A. One man for the whole city?

Q. No, a superintendent in each borough; is there any question if we had a borough superintendent but that he could do it? A. Not at all. I think a competent builder or architect of sufficient experience could devise every protection for life and property that the Legislature could devise in the factory law and see that it was carried out.

Q. Will you give us any reason then why you think the State Legislature should prescribe any building rules for New York City as against our Board of Aldermen? A. Simply, as I say, it is a matter of political economy — the sovereign power is in the State. While we are in New York City we are still part of the State, and I cannot advance any reasonable argument why, in protecting the lives of the people, the Legislature should not provide rules for the entire State from Montauk Point to Buffalo. I can

go further, but you are asking me for a logical reason on which I could argue why the State should not to anything —

Q. What I am trying to get at, Mr. President, is, do you feel that general State laws made for the entire State should govern New York City as well as small towns, where conditions are entirely different? A. I do not see any refuge from the right of the Legislature to make laws if they want to do it.

Q. That is the point; what the real estate people of New York are suffering under is that the State Labor Department is now passing rules and regulations for the entire State irrespective of the conditions in New York City; don't you feel that if the rules and regulations were passed by the Board of Aldermen, which has intimate knowledge of real estate conditions and other conditions in New York City, they would be more competent to pass such rules and regulations for that particular city than the State Legislature, composed of men throughout the State without any knowledge of conditions in New York City.

THE CHAIRMAN: You don't mean that the State Legislature passes rules and regulations?

MR. OLVANY: Passes laws.

THE CHAIRMAN: You had reference to the Industrial Board and not to the Legislature?

MR. OLVANY: Of course the Legislature passes general laws and allows the Industrial Board of the Department of Labor to make rules and regulations which will cover conditions throughout the entire State. What I want to find out is whether a law-making body in New York City could not make better rules and regulations for New York City than a State board could? A. I haven't the same respect for rules and regulations made by the Board as I have for those made by the Legislature. If rules and regulations are to be made by a board they could be better made by some one on the ground.

Q. And therefore the jurisdiction of the Labor Department as now existing should be transferred to this new department?

COMMISSIONER SMITH: Mr. President, you said that the former building superintendent of Manhattan was engaged by the Board of Aldermen as an expert on a building code for this city?

MR. MATHEWSON: Yes.

COMMISSIONER SMITH: How long has the Board of Aldermen been revising that code?

MR. MATHEWSON: From hearsay, for several years past.

THE CHAIRMAN: Isn't it a good deal like the new charter of the city of New York?

MR. MATHEWSON: No, we haven't started on the new charter; just getting ready.

THE CHAIRMAN: Ever since I have been a member of the Legislature you have been working on it.

MR. MATHEWSON: Those questions are continually talked of.

MR. ELKUS: About fifteen years it has been talked of.

THE CHAIRMAN: Of course there is always some progress made.

By MR. CHARLES MULLIN:

Q. Briefly stated, Mr. President, you favor consolidation of the building, tenement and other departments during construction?

A. Unqualifiedly.

Q. As distinguished from centralization of authority in one borough over the other borough? A. Yes, sir; because in my experience, and I have had the good fortune to have had a far larger experience connected with this government than most people, the scheme which has worked best for protection and control over the physical work is where the person interested in the work has had, at home in his own borough, practically the last resort where he could have things decided, but with a right of appeal when necessary.

By COMMISSIONER MCGUIRE:

Q. Would it be any saving to the city, do you think, to consolidate these departments? A. I have not given it thought myself, but I have had a report from my superintendent of buildings which I have not yet had an opportunity to check up which would indicate a very great saving.

Q. A very great saving? A. Yes, sir.

Q. When you have that checked up will you give it to the Committee? A. Yes, sir, I shall.

By MR. HELMS:

Q. Do you favor a central board of appeals? A. I think there must be some central board of appeals somewhere. There are cases that will come up of construction of the existing laws. Whether it will be permitted in connection with this law or not, there have been at all times cases arising under the building code, and very properly, where the superintendent, with the concurrence of the President, could allow a variation in the interest of the spirit rather than the letter of the law. There should be some central board to which these contested questions should go and where rulings should be made to secure uniformity throughout the city, which could be done if you have borough departments. If you had a city department you would have to have an appeal somewhere. You cannot allow a man with the vast powers that a city superintendent would have to be without a resort to which he could go if he thought he was aggrieved.

Q. Would you approve of having the commissioners on one central board of appeals? A. Unqualifiedly.

Q. Would it be wise to have an appeal taken from a superintendent sitting on a board of appeal to an appeal from himself? A. You could very well provide for that; that on an appeal from a ruling of his he should not deliberate.

Q. Are you opposed to the Board of Examiners as now existing, or the Board of Appeals which has been in existence for twenty-five or thirty years; do you think it has been working properly? A. I must say I haven't heard any great complaint except as to the salaries some of them receive.

Q. There are no salaries; some of them get ten dollars a session. A. Some of them have salaries, I think.

Q. But as to the working of it? A. I have heard no serious complaint of that; in fact, I have heard no complaint at all.

By MR. OSCAR LOWINSOHN:

Q. Mr. President, wouldn't you favor a Board of Examiners similar to the one that is now there but the Board to be absolutely independent of politics; in other words, a board selected by pro-

fessional or trade organizations to pass upon these questions; this board to be composed in some respects similar to the present Board of Examiners? A. Mr. Lowinsohn, I am not very much impressed with the idea that a Mayor or anybody else must appoint a man suggested by certain organizations. I think the appointing power should unqualifiedly take the responsibility for any appointment made, and no one should have the opportunity, should occasion later arise for criticism, of saying that a man was simply appointed because an organization, which may have been merely a paper organization, had suggested the man.

THE CHAIRMAN: Substituting one kind of politics for another kind of politics.

HON. LEWIS H. POUNDS, President of the Borough of Brooklyn, addressed the Commission.

By MR. ELKUS:

Q. Mr. President, as Borough President of Brooklyn, you have given some consideration, I suppose, to this matter we are discussing this morning? A. I have.

Q. We will be very glad to hear from you. A. I think my statement can be shortened very greatly by saying I agree almost absolutely and in detail with the statement by Borough President Mathewson as presented here. It is the position that I think is largely taken by the borough presidents. We have in Brooklyn a borough now of nearly two million people and with conditions quite different from those that rule in Manhattan. As a matter of fact, there is more similarity between Manhattan and the Bronx both as to the habits of the people and their being nearer to a center in Manhattan and as to their form of building, so that it would not possibly make the difference there that it would with us. We issue more permits than any other borough, and we have, I think, more buildings as distinct buildings, of course many of them being small, than three other boroughs, Manhattan, Bronx and Richmond, the other three outside of Queens. Really the conditions in Brooklyn and Queens are more identical than those. Now, I could go right on through these departments, but it seems

to me in poorer language and less explicit I would follow the statements that President Mathewson has made here, and I do not think it is necessary to take up your time. I would be very glad to do it, but I take the stand unalterably as against a city centralized department of the building interests.

Q. You are in favor of centralization in the city — A. Maintenance and supervision.

Q. But as far as construction is concerned you believe that it should be located or centralized in the borough? A. Yes, sir.

Q. But it should be centralized? A. We agree with that absolutely.

Q. The principle of the thing you are agreed upon; it is only whether it should be in the city or in the borough? A. Yes, sir.

COMMISSIONER MCGUIRE: Would that also apply to the consolidation of the various departments?

MR. POUNDS: Yes, sir.

Q. And in the consolidations in the boroughs you believe that the departments should be consolidated, all their work should be consolidated? A. Yes, sir.

By THE CHAIRMAN:

Q. Of course that would take the power from the city administration and put it into the borough president's office? A. No, I do not admit that. I do not believe that when an act is performed by a borough president that it is necessarily antagonistic or apart from the Mayor. We are just as much interested in this town as he is.

Q. But what I mean to say is, it took the supervision away from the Mayor and put it in charge of the borough president? A. Yes, sir, and there are certain features in each of these departments, the Tenement House Department, Fire Department and the State Labor Laws that I do not know yet; I have not solved at all just how they should be adjusted. I think there should be some sort of a board or else there should be some kind of a follow-up system in the separate bureaus. I just haven't worked that out, Mr. Chairman.

By MR. ELKUS:

Q. But the principle of the matter you are strongly in favor of? A. Yes, sir.

By MR. MCGUIRE:

Q. Have you given any thought to the question of its being a saving through the consolidation of these departments? A. I certainly think it would be a very great saving, how much I don't know. I haven't worked it out. Suppose you take the construction and alteration from the Tenement House Department, for example. I should think it would cut down very materially the six or seven hundred thousand dollars that department has a year. Now, suppose they keep up a corps of inspectors to see if the different provisions are carried out as to conditions in the different rooms, and so on, the Building Department first having the formula for the construction that should be complied with, the same as is done in the original construction. Then suppose the Tenement House Department follows up as to the lighting of halls and seeing that their windows are not closed up after they are once constructed, which might occur, and the like of that; that it would then require not more than a quarter of the force I should think they now have, but I would not pretend to be explicit on that.

Q. But from an economic standpoint it is your opinion that it is desirable? A. I do think so. I will say, Mr. Chairman, that I was developing property and building in 1898 and 1899 and I did suffer very greatly from the form of centralization that they had then. I got through the first Board of Public Improvements the first sewer contract and street improvement contracts that that first board passed, and I have been connected with that kind of work ever since, and we all had a great deal of trouble, and to go back to the old principle I think would be a very great detriment.

HON. MAURICE E. CONNOLLY (President of the Borough of Queens) addressed the Commission.

MR. CONNOLLY: I can agree with Mr. Pounds in the statement that Mr. Mathewson pretty generally covered the subject and I thoroughly agree with most of what he said. I think, however, that the question of the building of factories the preparation of

the plans, the approval of the plans, can be done by the city authorities just as well as by the State, and I think that power should be given to the city officials. I oppose strongly the proposition of having a centralized bureau as provided for in this bill and believe that these various bureaus should be consolidated under the superintendent of buildings as it now exists. I do not know of any evil in the building bureau that it is sought to remedy. I do not know of any criticism that has been directed at the building bureau, and I do not see any reason why the status quo with respect to that should not be maintained. Those who feel that a change should be made should be compelled to make out their case and if they cannot make out that kind of a case there should be no change. That is my proposition. Practically it works out this way in the bureau of buildings now. Our superintendent of buildings is able to give a decision to an architect or to a builder on the moment. If the architect or builder does not agree with him and his decision, he may go to the Board of Examiners. The Board of Examiners, I believe, should be maintained in substantially the condition it is to-day. I do not know of any reason why that should be changed. On the other hand, if we have a deputy commissioner in a borough or an inspector, this is the situation: Mr. Moore, our superintendent of buildings, sees thirty or forty people and passes upon thirty or forty questions a day. It seems that the same number that went to this chief inspector in charge of the borough would be compelled to go over to Manhattan and go over the same ground and perhaps go several more times to see the man who can eventually give him a decision. Suppose he goes to the superintendent in New York, the man in charge of all of these things, the head of this commission, and suppose he isn't satisfied with this decision, he can still go to the Mayor, who is the appointing power, and talk with the Mayor about the subject, and he may be compelled first to go to his borough, then to the superintendent in New York, and then to the Mayor, and after he has exhausted his resources there he perhaps would feel that he ought to go to the Board of Examiners. Now, with the conditions existing as they do to-day in the Building Department, a man goes to the superintendent of buildings, sees him and get a decision at once and that decision is final unless it is reversed by the Board of Examiners.

That, I believe, should be maintained. I agree with Mr. Mathewson that all the questions arising upon the approval of plans for buildings and for alterations, whether they be tenement house, factories, or dwelling houses, should be in one borough, and they should be separate and apart from any supervision afterwards. Now, the Fire Prevention Bureau was organized as a result of the Triangle fire. Now what was the Triangle fire and what caused it? It was not any difficulty on the part of the preparation of the plans. The plans were all right. The exits were wide enough, but the trouble was they were locked when the people wanted to get out. Now that is inspection afterwards. On the question of expense you must now go to the Tenement House Department and have your plans examined for light and air. Now our examiner, knowing the requirements that are compelled by law, in a few moments while he is examining those plans can compute for light and air. There is no particular difficulty about that, and not near as much as finding the structural ability of the various materials to stand the weights that will be imposed upon them. That inspector can just as well inspect for light and air and it will not take him two minutes to do it. In the same way the inspector who inspects plans to-day can inspect for fire-escapes. There is no additional work involved and there ought to be a provision that one bureau can do all that work. I do not know why the inspection for fire prevention purposes after the building is erected should be by a civilian body. I believe that should be done by the uniformed firemen. They know best those questions and that would make it necessary for the firemen on the post to go to those various buildings, factories, tenement houses and others when necessary at certain periods. He is in a better position to inspect with regard to those things than anybody else, and he at the same time becomes familiar with the building so that in the event of a fire he can go there and knows at once just what conditions he is likely to meet in the factories. I do not believe that the tenement house duties of inspecting tenement houses after their construction should be taken away nor that that force should be brought into the building bureau or any other bureau. We are concerned in our bureau with this proposition only, with the proposition that everything that has reference to the building itself, separate and

apart from the use of the building afterwards, should be in one body. Now who makes subsequent inspections? Whether it is centralized in the Mayor or centralized in the State or somewhere else we don't care about, but we are interested when a man wants to build a building; we are interested in giving him an opportunity to receive a decision at the earliest possible moment, without the necessity of going to a commissioner in Manhattan or anybody else. He ought to be given his decision so that he may then go to the Board of Examiners.

We have the Water Department in Queens and the Charities Department and various other departments, and see what will happen in the Building Department if it is centralized, from what does happen in these other departments, and I know whereof I speak. I am not guessing at this. These difficulties I point out are happening to-day in every one of the boroughs, in our borough, in every one of the bureaus that are centralized in the Mayor.

Now with respect to general details, as Mr. Mathewson suggested; they could very well be taken care of — uniformity of practice in small matters — those matters could be brought about by a compulsory meeting of the building superintendents as a board. The same objection cannot be raised to the appeal to the Board of Examiners that is raised through the necessity of going to a commissioner to have the decision of an inspector reversed. In our borough since Mr. Moore has been superintendent there have been about eighteen thousand plans examined and it was only necessary for the builder to go to the Board of Examiners in six cases, so that is the situation with regard to that.

By MR. ELKUS:

Q. Mr. President, as I understand you then you, like Mr. Mathewson and Mr. Pounds, are in favor of a consolidation of these departments but you think that as far as the construction supervision is concerned the consolidation should be in the borough authorities? A. Absolutely.

Q. As far as maintenance is concerned it should be in the city authorities? A. We do not care who has it. The State may have it, the city may have it; we don't care.

Q. The thing this Commission is concerned with mostly is the

principle of consolidation; you are in favor of that? A. Absolutely, and I do not believe that there is anybody who will take an opposite view. I think that is unanimous.

By MR. LOWINSOHN:

Q. If your present superintendent of buildings was given more power, as he probably would under this bill, than he now has, although he would be a subordinate, don't you think the Commissioner of Buildings such as we now have would continue? A. No, because as long as he is subordinate to another man, as Mr. Mathewson says, he will either assume the full power of responsibility or the Commissioner won't give it to him. Now that has worked out in the Police Department, it has worked out in the Water Department and in every department of the city. A man in our borough with respect to the water supply, gas and electricity has practically no powers now. He has to go to New York with almost everything, and to the Police Commissioner in Brooklyn, and to the Fire Commissioner in Brooklyn, it is all the same. They haven't got the powers. They haven't been given to them as far as I know as long as they were compelled to report to somebody else.

Q. But the Tenement House Department which is the newer, excepting the Fire Prevention Department, has officers in all of these various boroughs who are subordinate to a Commissioner and each of those officers do have their own rulings on minor matters? A. We have no office at all. We have to go to Brooklyn for those things.

Q. In very few cases are there appeals to the Commissioner from which there is no — A. Who appoints the Commissioner?

Q. The Mayor? A. Who appoints the deputies?

Q. I believe the Mayor?

Q. Your borough happens to be fortunate in having a good, sensible, level-headed superintendent of buildings. If you had experience with some of the other boroughs you would begin to think it would be advisable to have man there from whom appeals could be made. The reason we want this centralization of authority is that our trouble has been in some of the boroughs that

the appointees are unfit. They immediately become arbitrary. We have all kinds of trouble getting opinions from them and frequently we are prevented from appealing to the Board of Examiners because the issue does not warrant it; would that be changed?

A. Very quickly.

Q. Would you be prepared to guarantee that? A. I can not guarantee anything.

Q. If you had the power of appeal over the head of a superintendent on the ground that his action was arbitrary I think then you would also begin to feel the way we do, that there should be some means of preventing us from being continually harassed by these petty, arbitrary decisions that are given? A. We could get around your proposition by having an appeal from the deputy superintendent to the superintendent and then another to the Board of Examiners. Your proposition means the reformation of men and not the reformation of the Building Bureau. You can not guarantee what kind of men are going to be appointed, that is these deputies.

Mr. LOWINSOHN: No, no more that you can guarantee the kind of men to be appointed superintendent of buildings.

Mr. CONNOLLY: So when you suggest something that will be accomplished by this, you are only guessing, you are hoping so.

Mr. LOWINSOHN: If you establish a centralization of responsibility in the superior officer that will enable you to get justice if you can not get it otherwise?

Mr. CONNOLLY: Are not the cases where you can not get justice, very few, and where you weigh the cases where you can not get justice with the tremendous amount of inconvenience in having to go elsewhere —

Mr. LOWINSOHN: I do not think so, I think it hits the people who have small amounts of money to spend and that is where the tyranny is greatest.

Mr. CONNOLLY: In what borough do you live?

Mr. LOWINSOHN: I live in Manhattan.

Mr. CONNOLLY: In Manhattan there is not the objection that there is in the other boroughs because you can go down and see the Commissioner and get your decision, but in the other boroughs it is different and the objection exists generally from the necessity of going from one bureau to the other.

Mr. LOWINSOHN: That can be obviated the way the Tenement House Department does. It is known that the Commissioner on a certain day is in a certain borough.

Mr. CONNOLLY: I have been Borough President for three years and I did not know that there was such a rule or custom and I keep pretty well informed of such things.

Mr. LOWINSOHN: You can inquire of Mr. Murphy and find out?

Mr. CONNOLLY: That is very gratifying but when you say everybody knows it, there is one that did not.

Mr. LOWINSOHN: The point is we feel there should be a centralization of authority and probably with a little more time to think over a bill of this type we will reach an agreement.

Mr. CONNOLLY: I thoroughly agree with you on the question of the centralization of authority. There is no doubt about that. These departments ought to be centralized, but I do object to the proposition of the appointive power being the Mayor and having a chief inspector or deputy of the boroughs because of the inconvenience of it.

Mr. LOWINSOHN: We all agree this is a tentative bill and requires a great deal of additional study and change.

Mr. MOORE: In order to bring out the point that Mr. Lowinsohn made I would say this: The Tenement House Law is mandatory in every provision. The Buildings Code in a great many matters is discretionary and so with the other departments that you mentioned. Taking that into consideration would you consider the question of the Tenement House Department in the matter of an appeal to the deputy and then to the Commissioner as an example?

Mr. CONNOLLY: If that be the case there is no doubt about it, the Commissioner is a perfunctory sort of individual. He does not have any discretion to exercise.

Mr. LOWINSOHN: I might mention here that the Commissioner in this draft of the bill requires practically no qualifications either; that is something that we might very seriously object to.

Mr. CONNOLLY: If a man is not armed with discretion it does not matter who he may be, and if the Commissioner in the Tenement House Department has no discretion it does not matter whether he goes to Queens or not. He has got to permit you to appeal if your plans are in accordance with the law and he has no discretion.

Mr. MCGUIRE: You think the consolidation of departments would make it economical do you?

Mr. CONNOLLY: I do not think that there is any question about it. Take this case, here is a set of plans that come in to us. We examine them for everything but light and air. If we know that there is certain amount of window space and a certain amount of air required the same man that examines for one thing can examine for the other thing. The same with fire prevention. Their plans have to be examined for fire escapes and exits only. He has to visit that building and in two minutes more do it and cut out the work that is being done over here. That is bound to work for economy because you have three men spending all of their time doing the thing that one man can do.

The CHAIRMAN: Then there is also the matter of convenience to the citizens in that, isn't there, outside of the question of economy?

Mr. CONNOLLY: Yes, there is, he will get quicker action. Now in the case of inspection why cannot the man who goes around to see the fire escapes are unencumbered or if the windows are barred up or not barred up, why can't he inspect for something else in a factory; why can't he inspect to see if the factory laws are observed. He has to visit that building and in two minutes more he can examine for the other matters. Isn't economy bound to

be introduced? You cannot cut down the cost of inspection in a factory building by consolidating the inspection after the factory has been completed but in that way I have suggested it is bound to result in economy.

The CHAIRMAN: We have heard both sides of that question.

Mr. CONNOLLY: I didn't hear the other side. That is the way I feel about it.

Mr. JAMES NOLAN, addressed the Commission. I am chief clerk in the Bureau of Buildings in the Borough of Richmond. Mr. McCormick (the Borough President) desired me to say that he thoroughly coincides with the views expressed by the other borough presidents, and further to state that his borough suffers more than any other from this multiplicity of departments and inspections on account of its geographical situation, it taking such a long time to go from our borough to the borough of Manhattan. We find that in the matter of economy it would be a great saving to have all inspections in buildings made by the Bureau of Buildings. We are opposed to the centralization in one borough of the Bureau of Buildings on the ground it would not remedy the fault we complain of. In other words it would be necessary at times for people to visit the central office, as has been stated before to receive a final decision.

By THE CHAIRMAN:

Q. Do you mean you are opposed to the centralization of the building departments of all boroughs into one? A. Yes, sir. I mean by that centralization in the one borough, the Borough of Manhattan.

Q. You assume it would be in Manhattan? A. I believe it states so in the bill.

Mr. ELKUS: No.

THE CHAIRMAN: Does any one desire to ask Mr. Nolan any questions?

No response.

DR. HAVEN EMERSON (Deputy Commissioner of the Department of Health), addressed the Commission:

By MR. ELKUS:

Q. Doctor, the Health Department is a city department, that is, it covers the entire city? A. Yes, sir.

Q. We would be very glad to hear from you about this matter; I presume the Commissioner has delegated you to represent him?

A. The Commissioner has. It can be stated in that wherever a city or State department is created and develops a satisfactory inspection service up to the standard at present maintained by the Department of Health, the Department of Health would be quite ready to be relieved of the necessity of inspection; that whatever department is developed to maintain inspection it would not relieve the Department of Health from the responsibility of exercising its health functions; that in the face of an epidemic, even though certain functions were delegated to this special department, the Department of Health would still have to enforce its own primary jurisdiction in such matters.

Q. There is nothing in the proposed law to take that away? A. Insofar as it speaks of the structural changes in bakeries there is no reason at all why it should not, but when it comes to vacating premises and vacating tenements I fail to see how that would work under the present arrangement. The inspection would have to be made by a medical inspector.

Q. The law is exactly as it is now. The Tenement House Law reads the same way as that. A. The Tenement House Law does not give the Tenement House Department the right to vacate premises in the presence of an epidemic.

Q. It does give them the right? A. But they don't use it.

Q. That may be? A. And for obvious reasons. They have no suitable examiners to determine when epidemic conditions prevail.

Q. They would act on the recommendation of the Health Board?

A. Insofar as they would act on the recommendation of another inspection that would duplicate the work of the Department. I appreciate the advantages that would result from such consolidation but when you ask for power to vacate premises or medical inspection I should say it would duplicate medical inspectors rather than simplify or diminish the number.

MR. ELKUS: That is copied from the present Tenement House Law and I presume if you are right it should be changed.

MR. ROBERT D. KOHN, addressed the Commission:

MR. KOHN: I represent in this brief the New York Chapter of the American Institute of Architects. The substance of our position will, I understand, be concurred in by representatives of the Underwriters, the building trades and other associations. I will outline merely the position taken by the architects: We favor in principle the consolidation of these bureaus. We state that the time for the consideration of details is inadequate. We see no reason why any one department any more than another should be excluded from such a consolidation. We refer specifically to the functions of the Tenement House Department and think they and all others should be included in the consolidation, or none. We specify that such consolidation should include only supervision of the construction, alteration and fire prevention equipment of structures, eliminating from the plan such functions as Dr. Emerson referred to. The "housekeeping" functions should not be assigned to this consolidated bureau.

We call attention, and I think that that is our most important item, to the distinction that should be made between the Board of Standards and the Board of Appeals. The two functions should be quite separate. We propose:

A. A Board of Superintendents, or "Board of Standards," consisting of the Commissioner of Buildings, the Superintendents of Buildings of the five boroughs and three or five experts. This Board would be required to prepare standards and regulations, uniform for the entire city on all those matters left to their definition by the building and other codes governing the Departments' work. Their proposed regulations and standards should be published in the City Record at least once a week for four weeks before final adoption, and public hearings should also be provided for. We have suggested the addition of three or five experts so as to give the Board the assistance of technical men not in the Department who could be secured for part time work, men of much higher grade than any that could be permanently employed at comparatively small or even no cost to the city.

B. A Board of Appeal. This function should be entirely distinct and separate from that of the Board of Superintendents or Board of Standards. Those connected with building work in this city are qualified to speak on this subject, and they say in no uncertain terms that the principle of a Board of Appeals (or Board of Examiners)—the principle of an independent—nonpolitical board, is most valuable, is in fact essential. By nonpolitical, we mean a Board, the members of which are appointed officially by the Mayor, but designated severally by the Architects' Societies of New York and Brooklyn, the Building Trades, the Consulting Engineers and the Underwriters; the Mayor to select the Chairman from among its members. In view of the proposed new power of the Board there should also be added members designated by organizations most interested in tenement house protective legislation. The Commissioner of Buildings and the Borough Superintendents should not be members of this Board. The Chief of the Fire Department should be a member.

None but technical questions come before this Board and it should consist of none but technically qualified men. Its composition should be carefully scrutinized. Unrepresentative organizations should be excluded. On a Board such as this—a Board that prevents injustice by permitting of new forms of construction not provided in the law, new solutions of structural and fire prevention problems not permissible by strict interpretation of the ordinances—on such a Board we can secure the services of men of great ability at little or no cost—men who will give their time as they have in the past for the good of the city. These men could never be had to serve on a permanent Board, no matter what the salary.

Now the Board of Examiners as we point out in this brief, the Board of Appeal, has worked well in the past and we desire to have a similar board maintained quite distinct from the Board of Superintendents. The superintendents should not be members of that Board of Appeals because the appeal is taken in almost every case from their decision and the present method whereby the superintendents forward their documents to the Board, or appear before it if they wish, is much fairer. We maintain that the designation by various technical organizations—while not always

perfect in the past—that that method is really very valuable. Speaking, now, for the architects alone we claim we have been able to get representatives on this Board of Appeals whom we could never secure in any other way. We, as architects, ask one of our best men in the interest of the city and the interest of the profession, that he give five or six hours a week with practically no pay for this work (ten dollars for the session), a man who would command a good many hundreds of dollars for that amount of time. Such a man cannot be secured in any other way. The history of the Board shows we have been able to secure men of exceptional character when we ask it in this way. Now finally we say that the decisions of the Board of Appeals should be published and made citable as a precedent for future action.

MR. ELKUS: Are any of them published now?

MR. KOHN: Not to my knowledge, I think not. We call attention in this brief to the failure of the plan to provide for the inspection and supervision of elevators, and the surveys of unsafe buildings. That is a requirement of the present Charter—a survey board is called in an emergency to pass upon the safety of a building and also—

MR. ELKUS: Isn't it the plan if this should be adopted that all those functions should be discharged by the Board of Appeals?

MR. KOHN: It is an entirely different function.

MR. ELKUS: Do you think they should be separate boards?

MR. KOHN: It might be the Board of Appeals could be so constituted as before with a sufficient number of men to be called on in emergency, but the qualifications are quite different, the qualifications that would be needed there.

THE CHAIRMAN: Mr. Kohn, in your opinion do you favor a consolidation into a city department or are you in favor of a consolidation under the borough presidents' offices?

MR. KOHN: The Committee was, I believe, unanimous that it should for the time being be consolidated into boroughs. I think that was due to the fact whereas we realized that in Manhattan we would be equally as well off as we are now, as far as the time

spent in appeals and otherwise is concerned; in the other boroughs the men would be at a great disadvantage with a centralized department. We have been influenced in that opinion to some extent by the expression of the opinion of other professional men.

MR. FRANKE: Article 5 I think you did not dwell on?

MR. KOHN: I think I did sufficiently call attention to the fact that the two functions of the Board of Standards and of the Board of Appeals should be kept distinct.

MR. FRANKE: I do not think you mentioned the composition of that Board?

MR. KOHN: We suggest that the Board of Standards should consist of the five superintendents and five experts to be appointed. I think technical experts could probably be secured without pay to cooperate with the superintendents in preparing those standards that would have to be supplied.

MR. ARTHUR ARCTANDER: I would like to ask you if in your profession you have found any difference in inspectors of the Building Departments and inspectors of the Tenement House Department and which of the two would you consider to be most practical?

MR. KOHN: I would rather not answer that question because I haven't any very great experience with inspectors of the Tenement House Department and am not qualified to answer.

MR. D. EVERETT WAID, addressed the Commission.

MR. ELKUS: You are representing what association?

MR. WAID: The architects and I am Vice Chairman of the joint committee which has been giving some years to the study of the proposed building code for the city and is now working with constructive criticism to assist Mr. Miller in the work he is doing for the new code. The points have been well brought out by Mr. Kohn. I think we could add only one word or emphasis on the matter of the Board of Appeals and call your attention to the fact that this proposed Board of Appeals, as it is proposed in the tentative draft, the legislative and executive and judicial func-

tions could all be combined in one official; in other words the head of the Bureau of Buildings should have under a flexible building law the power of issuing regulations which should have all the force of ordinances. That is very important in order to secure a properly flexible law and permit us to admit new ideas, new building materials and new methods. At the same time an executive officer, if any one appeals from his decision, he sits as Chairman of the Board to pass upon appeals from his own decision. That seems very wrong in principle. I have a memorandum covering this particular point.

MR. ELKUS: You may submit it and it will be placed upon the record.

The memorandum submitted is as follows:

Notes referring to the first draft of a tentative bill for the creation of a Department of Buildings of the City of New York, and a Board of Standards and Appeals therein.

The public should be protected against faulty construction and other dangers due to bad planning and bad workmanship. At the same time progressive ideas should be encouraged. New building materials and ingenious construction are constantly causing revolutions in building methods. It is the belief of the Joint Committee that we can accomplish our purposes of being safe and progressive at the same by the following procedure:

First.—Enact a Building Code based on general principles, and made as brief and comprehensive as possible.

Second.—Give the Building Department power to publish regulations which shall have the force of ordinances and be more easily modified in an impartial way.

Third.—Refer appeals from decisions of the Building Department to a Board of Appeals, whose findings shall be matters of public record and precedent.

The proposed new State Law, in attempting to carry out this programme, contains, in its present form, a vital mistake, in that it combines legislative, executive and judicial functions, all three in one official, the head of the Building Department. This would be a proceeding subversive to the principles underlying our whole government machinery. However able and honest the

head of the Building Department, the power of passing upon an appeal from his decisions and interpretations of the law should be lodged in a body of several men who could judge from several points of view more safely than any one mind could do.

Mr. F. J. T. STEWART (Superintendent of the New York Board of Fire Underwriters) addressed the Commission:

Mr. STEWART: Representing the Board of Underwriters I want to file with you a brief statement for myself and for Mr. Ira H. Woolson, on behalf of the New York Board of Fire Underwriters in which we endorse the scheme in principle and particularly the brief submitted by Mr. Kohn, of which I have attached a copy herewith and we also file a resolution adopted by the Board of Fire Underwriters on the 18th with particular reference to the Board of Standards and Appeals, their feeling being that they object to it as proposed but feel that it should be substantially as at present, and in subscribing to the brief that Mr. Kohn submitted we favor the separation of the Board of Standards from the Board of Appeals.

The letter and brief are as follows:

THE NEW YORK BOARD OF FIRE UNDERWRITERS,
BUREAU OF SURVEYS, 123 William Street.

NEW YORK, November 23, 1914.

HON. ROBERT F. WAGNER, *Chairman, New York State Factory Investigating Commission, 170 Broadway, New York City:*

DEAR SIR.—In the matter of the proposed bill for the creation of a Department of Buildings for the City of Greater New York and a Board of Standards and Appeals therein, the undersigned are authorized by the special committee of the New York Board of Fire Underwriters on this subject, to express our approval on behalf of the Board of the general object of the bill.

We are further authorized to file with you the attached resolution passed by the New York Board of Fire Underwriters at its meeting held November 18, 1914, protesting against the uncertain provision for our representation on the proposed Board of Standards and Appeals which is intended to replace the present Board of Examiners of the Bureau of Buildings.

We are further authorized to advise that the New York Board of Fire Underwriters approves in substance the attached brief approving the general plan of consolidation prepared by a special committee of the American Institute of Architects and, we believe, endorsed by the constituent members of the Joint Committee on City Departments. We especially call attention to the suggestions regarding the proposed Board of Standards and Appeals contained therein.

In voicing our approval of the principle of consolidation of the administrative functions affecting buildings, it impresses us as the only logical plan to ensure efficiency and economy, and to eliminate friction and inconsistencies. We, therefore, believe that the principle of consolidation should be carried out somewhat literally to fully accomplish its purpose, and wish to caution against digressing from this principle for the sake of expediency.

Respectfully submitted,

F. J. T. STEWART,
*Superintendent, New York Board of
Fire Underwriters.*

IRA H. WOOLSON,
*Consulting Engineer, National Board
of Fire Underwriters.*

RESOLUTION, NEW YORK BOARD OF FIRE UNDERWRITERS, NOVEMBER 18, 1914

WHEREAS, Under section 411 of the Greater New York Charter creating the Board of Examiners of the Bureau of Buildings of the City of New York it is required that one of the members of such Board shall be a member of the New York Board of Fire Underwriters, and

WHEREAS, It appears from the first proof of a tentative bill for the creation of a Department of Buildings of the City of New York and a Board of Standards and Appeals therein, issued for criticisms and suggestions by the New York State Factory Investigating Commission, that it is contemplated to create a Board of Standards and Appeals to discharge the duties of what is now the Board of Examiners, and

WHEREAS, It is also contemplated in such bill that the appointment on such Board of Standards and Appeals of a representative of the New York Board of Fire Underwriters shall not be obligatory, as is now the case under the City Charter, but shall be at the option of the Mayor for the time being, and

WHEREAS, It is in the interests of the City of New York, of property owners and of the capital represented in the New York Board of Fire Underwriters that one of the members of the Board of Examiners or the Board of Standards and Appeals, by whatever name called, should necessarily be a delegate from the New York Board of Fire Underwriters,

Resolved, That a committee of five be appointed by the President with power to take such steps as may be necessary to give effect to these views, to oppose any proposed legislation the effect of which might be that a representative of the New York Board of Fire Underwriters would not necessarily be included in the membership of such Board of Examiners or Board of Standards and Appeals.

STATEMENT PREPARED AND SUBMITTED NOVEMBER 23, 1914, BY THE JOINT COMMITTEE ON CITY DEPARTMENTS

(Representing the New York and Brooklyn chapters of the American Institute of Architects, the Building Trades Employers' Association, The New York Society of Architects, and the American Institute of Consulting Engineers.)

1. We herewith repeat our previously recorded approval of the principle involved in the consolidation into one bureau of all those City and State Departments having supervision over the construction and alterations of buildings within the city of New York.

2. We believe that the time allowed for the consideration of the draft is entirely inadequate to prepare a detailed study of the same. We ask another and later opportunity for presenting such detailed criticisms.

3. We believe that the consolidation of Departments should be complete. We can see no reason why any one Department any more than another (such as the Tenement House Department) now independent should be excluded from such a consolidation.

4. We believe that the new Department as proposed should include all the powers of the City and State Departments mentioned in the tentative bill and in general should control only matters affecting the construction, alterations and fire prevention equipment of structures in the greater New York.

5. We believe that the Board of Standards and Appeals proposed in the tentative draft would not prove effective. We believe that the two functions of standards and appeals should be kept distinct. The Board of Appeals is a technical court of relief, a court of adjustment. There should therefore be two separate boards, as follows:

a. A Board of Superintendents, or "Board of Standards" consisting of the Commissioner of Buildings, the Superintendents of Buildings of the five boroughs and three experts. This Board of nine would be required to prepare standards and regulations, uniform for the entire city on all those matters left to their definition by the Building and other Codes governing the Department's work. Their proposed regulations and standards should be published in the City Record at least once a week for four weeks before final adoption, and public hearings should also be provided for. We have suggested the addition of the three experts so as to give the Board the assistance of technical men not in the Department who could be secured for part time work — men of much higher grade than any that could be permanently employed — at comparatively small or even no cost to the city.

b. A Board of Appeal. This function should be entirely distinct and separate from that of the Board of Superintendents or Board of Standards. Those connected with building work in this city are qualified to speak on this subject, and they say in no uncertain terms that the principle of a Board of Appeal (or Board of Examiners) — the principle of an independent-nonpolitical Board — is most valuable, is in fact essential. By nonpolitical we mean a Board of Appeal appointed officially by the Mayor but selected by the Architects' Societies of New York and Brooklyn, the Building Trades Employers' Associations, Consulting Engineers Society and Underwriters' Associations. In view of the proposed new powers of the Board there should also be added members selected by organizations most interested in tenement

house protective legislation. The Commissioner of Buildings and the Borough Superintendents should not be members of this Board. The Chief of the Fire Department should be a member.

None but technical questions come before this Board and it should consist of none but technically qualified men. Its composition should be carefully scrutinized. Unrepresentative organizations should be excluded. On a Board such as this — a Board that prevents injustice by permitting of new forms of construction not prevised in the law, new solutions of structural and fire prevention problems not permissible by strict interpretations of the ordinances — on such a Board we can secure the services of men of great ability at little or no cost — men who will give their time as they have in the past for the good of the city. These are men who could never be had to serve on a permanent Board, no matter what the salary.

6. The decision of the Board of Appeals should for obvious reasons be published in the City Record and be made citable as precedents for future applications.

7. There are many details of the plan as suggested, which in our opinion, should be modified. Such, for instance, are: the failure of the plan to provide for the inspection and supervision of elevators; the failure of the plan to provide for surveys of unsafe buildings; the failure of the plan to provide for surveys on appeals from fire prevention orders.

8. Finally, we reiterate our declaration of the approval of the principle involved in the proposed legislation, provided the consolidation includes everything properly within the scope of such a department, and we ask for a later opportunity to present a more detailed constructive criticism.

Respectfully submitted,

THE JOINT COMMITTEE ON CITY DEPARTMENTS.

Endorsed by Ira H. Woolson and F. J. T. Stewart on behalf of the New York Board of Fire Underwriters and submitted to the New York State Factory Investigating Commission, November 23, 1914.

MR. ELKUS: Mr. Chairman I have been asked to file a brief on behalf of the New York Society of Architects by Mr. Joseph

C. Schaeffler, which reads in part that the New York Society of Architects is largely in accord with the consolidation of all the various departments having jurisdiction over building operations in the greater city, the brief is as follows:

"The present draft of this bill was received too recently to permit of anything but an altogether too hasty and superficial examination.

"The New York Society of Architects is heartily in accord with the consolidation of all the various departments having jurisdiction over building operations in the Greater City of New York, but we desire more time for a careful consideration of the details involved and respectfully request that this matter be again presented for discussion at a future hearing.

"The consolidation, to be what the name implies, would of course include all departments, whether City or State, which in any way control the erection of new structures, alterations to existing structures, means for the prevention of fire, sanitation, etc., within the limits of the Greater City of New York.

"We desire at this time, however, to call attention to the importance of separating the power of fixing standards from the discretionary powers of the Board of Appeals. The Board of Standards should properly be composed of the Commissioner of Buildings and his deputies, assisted and advised by several engineers of known ability. The Board of Appeal, however, should be composed of men of known ability in the design and erection of structures (architects, engineers and builders), recommended to serve by the various organizations directly interested in such work in the Greater City of New York. The Board of Appeal must be a fully representative body. The present Board of Examiners is not fully representative. In the present draft of the bill the Commissioner of Buildings would be a member of the Board empowered to hear and pass upon appeals from his own decisions. Manifestly such a proceeding would be an injustice to the appellant. Although all those serving on both Boards would be appointed by the Mayor, the above mentioned method of selecting the members of the Board of Appeals would ensure a nonpolitical body of technically trained men, qualified by experience to judge and pass upon difficult and new methods of construction, and such

other problems not provided for in the existing laws. All proceedings and decisions of both Boards should be published in the City Record.

"This is the only comment we care to make at the present time. We desire more time for further and more mature consideration of the entire draft of the bill so that we may be enabled to submit a more detailed criticism of same at a future hearing.

"Respectfully submitted,

"NEW YORK SOCIETY OF ARCHITECTS,

"By JOSEPH C. SCHAEFFLER."

The CHAIRMAN: The Commission will now take a recess until two o'clock sharp.

AFTERNOON SESSION

Mr. HARRY N. FRENCH: I appear for the Building Trade Employers' Association of the city and I am asked to state for them that they are represented in the Joint Committee on City Departments, from which you have already heard from Mr. Kohn, that correctly stated its opinion regarding this tentative bill.

I am also asked by Mr. Cheney for the Society of Architectural Iron Manufacturers to say that they also are of the same opinion.

Mr. FURST: I am the President of the South Bronx Property Owners' Association. We have adopted resolutions which are as follows:

SOUTH BRONX PROPERTY OWNERS' ASSOCIATION,
549 EAST 138TH STREET.

At a meeting of the Executive Committee of the above Association, held at our headquarters, 549 East 138th street, Thursday, November 17, 1914, the following resolutions were offered and unanimously adopted:

WHEREAS, the New York State Factory Investigating Commission, Hon. Robert F. Wagner, Chairman, has formulated a tentative plan with reference to the inspection of buildings in New York City by uniting different city and State departments, and

WHEREAS, the South Bronx Property Owners' Association founded in 1902, its officers and members are in favor of such plans, as stated in the said tentative plan, except as hereinafter mentioned, therefore be it

Resolved, That we want the number of Commissioners to be five, one for each borough, so as to assure in said Commission the presence of one representative from each of the five boroughs of Greater New York, according to the principles of home rule.

IN WITNESS WHEREOF, the President and Secretary have signed these presents and affixed the seal of the Association.

MR. FREDERICK C. KUNDECK,
Secretary.

Mr. ARTHUR ARCTANDER, addressed the Commission; Mr. Arctander stated: I reside at 994 Grant avenue, Bronx, and represent the Taxpayers' Alliance as a Delegate, also the Bronx County Property Owners' Association, and I am an architect.

I have conducted business in the Bronx, Manhattan and Brooklyn and so forth for the past forty years and wish to state that the Taxpayers' Alliance, which I represent, constitutes twenty-two Civic Organizations in the Borough of the Bronx.

I wish to state that we have read with great interest the tentative plan of consolidation of the various city departments consisting of: the Building Department; the Tenement House Department; the Labor Department; the Fire Prevention Department; and the Factory Department.

We are practically in favor of the consolidation of all those departments but under a five headed Commission; one Commissioner or Superintendent from each borough with full power to decide all cases coming before them but governed by the same law for all boroughs, and as has been expressed by President Matthewson of Bronx borough.

I am familiar with the plan now in operation with independent action for each borough in the Building Department, and I am also familiar with the plan in operation in said department prior to the year 1901 when a deputy was assigned to the Borough of the Bronx.

On behalf of the organizations which I represent, I wish to state that we are in favor that the five commissioners or superintendents should constitute a board to which an appeal may be taken in cases of dispute and also that a further appeal of last instance may be had to a Board of Examiners as constituted now but whose membership should be extended and to have not less than one representative from the architects; the Builders Association; the Plumbers Association with a practical knowledge of not less than ten years experience; also a representative from the Labor Organization, the State Factory Commission; the Fire Department; the Fire Prevention Department; the Tenement House Department and the Building Department.

We would recommend that the Board of Commissioners should meet once every week in the Municipal building, and that the Board of Examiners should meet not less than once every month.

We would recommend that all heads of the new department and deputies should be either architects or builders of not less than ten years' experience and that they should be appointed by the respective Borough Presidents in the various boroughs and that all inspectors in the department should be experienced craftsmen of five years' experience.

We believe that the consolidation under such a department would be a saving to the city of \$1,000,000 and would be a great benefit to the whole building industry in the city and would lessen the constant annoyance of inspectors now in existence from each department.

I believe that I have stated all the desires of the organizations which I have the honor to represent and would only say in conclusion that I appear here only by courtesy of the Chairman of the Commission, in the absence of the Chairman of the Delegates, Mr. Schoonmaker, whom I would request may be heard now.

Mr. ELKUS: Is he here now.

Mr. ARCTANDER: He is here now.

Mr. CHARLES BUEK addressed the Commission.

Mr. BUEK: I represent the Real Estate Owners and Builders Association. We are very heartily in favor of this consolidation.

We believe it would be one of the best things that could happen to New York real estate if it could be brought about. We have gone very carefully through this tentative plan or bill and have embodied some of our suggestions in the shape of a communication here. I would like to be permitted to read it, may I?

Commissioner DREIER: Yes.

By Mr. ELKUS:

Q. May I ask how many members you have in your association?

A. About sixty. I won't take up the time of the Commission by reading the whole of it, but to lay stress upon two matters to call your attention to. We think that in this consolidation the new department of buildings should not have any control over buildings so far as their sanitation or use is concerned. We think that the purview of the department of buildings should cease when the building is completed. After that whatever belongs to the sanitary part of it should be under the board of health. Whatever belongs to the fire prevention and so on should be under the purview of the fire department, as in years past when the chief of the battalion or the captain of the company sent his men through the building and examined the conditions and found whether things were right or not. That can readily be done under this bill. The business of the building department should end, we think, when the building is completed and turned in, and the owner should then have a clean bill of health so that he can know that hereafter he will not be liable for any demands so far as the structural part of the building is concerned.

We would like to speak also with reference to the board of standards and appeals. The establishment of this board is, after the general consolidation, probably the most important feature of the bill. Its functions are delicate, its powers varied and extensive, and its composition will be of the utmost importance. It should before all be a board of experts, of men of experience in building and familiar with its various problems and its phases. No others can intelligently pass upon the many questions of materials and methods that will constantly come before it, both in the laying down of rules and regulations, and the decision on appeals. Unless its members are experts, known as such, the board cannot

command the confidence of the building public. I believe that would require no argument. The questions that come up are technical entirely and no one but experts can pass upon them. It should also be entirely nonpartisan. Politics should in no wise enter into it. The board as constituted in the bill does not seem to meet these requirements. To have the chairman pass upon his own orders and decisions makes the board anything but impartial.

By Mr. OLVANY:

Q. Mr. Buek, may I ask you whether you represent the real estate owners of all of the boroughs or only of one borough?

A. Only of Manhattan.

By Mr. ARCTANDER:

Q. In your experience have you found that the building department inspectors were practical men? A. Some are and some are not.

Q. Have you found in your experience that the inspectors of the tenement house department were practical men? A. Never had experience with them. I have never built a building under the tenement house law. Since the tenement house law has been in effect I have built no more tenements or apartment houses. I don't know anything about them.

The paper submitted by Mr. Buek is as follows:

1. The new department should have jurisdiction over fire escapes, fire towers and all other means of exit in case of fire in a building.

2. The act should provide for the boiler inspection by the department of high pressure boilers only. The police now claim jurisdiction in some cases over low pressure boilers intended for heating only.

3. The bill should include not only structural changes in bakeries and food products manufactories, but structural changes in all buildings, as the health department has frequently issued such orders in respect to other buildings.

4. All matters of construction, arrangement, plumbing and ventilation, now under the authority of the tenement house department should decidedly be included in the new department.

5. The definition of a tenement should be so amended as not to include three family houses, and it would be well if the old distinction between tenements and apartments could be restored.

6. The definition of a factory should be amended so as not to include small workshops or workrooms where but few people are employed.

7. It is decidedly our opinion that the bill should designate the bureaus into which the new department is to be divided, but that the number of inspectors should be left to the board of estimate and apportionment, with perhaps a maximum fixed in the bill.

8. An officer or employee should give his whole undivided time and attention to the public business, but this provision should not apply to members of the board of standards and appeals.

9. If this provision is made to apply to others than officers and employees of the department, it would seem to invest the commissioner with judicial powers which should belong to the courts.

10. Instead of using the words "between sunset and sunrise," would it not be better to substitute "between 6 P. M. and 8 A. M."

11. The provisions of paragraph 21 apparently vest in the commissioner of buildings an undesirable and unsafe power. It would make him virtually the ruler of the city and all building, and the business of renting and selling would be practically at his mercy. It is too great a power to confer on any man, however competent, wise and upright. We believe the broad general principle should be laid down that the supervision of the department ends when the building has been finally turned in as completed in compliance with the law; that the owner who has so complied in good faith shall be entitled to a clean bill of health and free from further requirements. It follows that it shall have no concern with cases of disease, sanitation and nuisance, which may safely be left to the department of health to deal with, which alone is properly equipped for that purpose. The jurisdiction over vessels and piers would seem to belong to the department of docks.

12. Every citizen should have the right to be heard in court and the words "may be granted a hearing" should be changed to "shall be granted a hearing."

13. To give the city a lien on property for the expense of executing orders which very often might be uncalled for and

unnecessary, would frequently work great hardship and oppression. It would only be another burden on the already overburdened real estate of the city. It should be sufficient if the city has the right to sue for the debt.

To make the expense a lien on rents is still more objectionable for similar reasons.

14. We think that a five days' notice of a preliminary injunction against the department is much too long. It would be safe to leave the time to the court, as in five days much damage could be done.

15. Board of standards and appeals: The establishment of this board is, after the general consolidation, probably the most important feature of the bill. Its functions are delicate, its powers varied and extensive, and its composition will be of the utmost importance. It should before all be a board of experts, of men of experience in building, and familiar with its various problems and phases. No others can intelligently pass upon the many questions of material and method that will constantly come before it, both in the laying down of rules and regulations, and the decision on appeals. Unless its members are experts, known as such, the board cannot command the confidence of the building public.

It should also be an impartial and entirely non-partisan board, politics should in no wise enter into it.

The board as constituted in the bill does not appear to us to meet these requirements. To make the commissioner of buildings a member, even the chairman, to hear and pass upon appeals from his own orders and decisions, makes the board anything but impartial. No man can be an impartial judge of his own actions, and it should be borne in mind that those who appeal have already argued their case before him personally. Few appellants would care to appear against him before the board.

The fire commissioner also should not properly be a member, being in no sense familiar with the questions coming up. The chief of the fire department, the actual commander of the fire fighting force, has been and would be a very useful member, the commissioner probably not at all. With the other three members to be appointed by the mayor, without any qualification or limita-

tion, the entire board would be appointees of his and inevitably partisan. The provision that the mayor shall "consider" certain nominations if made, is of course entirely ineffective and of no value.

The method for so many years in force for the appointment of the very similar body known as the board of examiners of the bureau of buildings, and which body the proposed board of standards and appeals is intended to supplant, has stood the test of experience, and has worked well in practice. The members certified to the mayor by the societies named in the charter, and also designated in the draft bill and appointed by him, have always been of high character and standing, their decisions have always been arrived at with painstaking care, and no breath of suspicion or scandal has ever touched them. It is not material what organizations be selected by your Commission, so that they be truly representative of the different professions, trades and interests to whom the city must look for its further building up and improvement. Such a body to be truly representative and truly deliberative must consist of more than five members. The seven in the present body are none too many, and nine would be better. The great sister boroughs of Brooklyn and Queens, which have peculiar problems of their own, should be represented.

A board consisting of men so selected by the several associations for their special fitness, based on an intimate personal knowledge of their professional and business standing, and in daily touch with the problem they are called upon to solve, can be trusted to make rules and regulations reasonable and practicable and to render decisions that will command the respect of the community.

Mr. ALEXANDER McINTOSH addressed the Commission.

Mr. McINTOSH: I represent the Brooklyn chapter of the American Institute of Architects. I have come here to express the unanimous resolution adopted by my society to support the principle recommended for uniting the various city departments so far as the construction, approving and repair of buildings is concerned. Regarding the administration, my society was almost unanimous in recommending that it be combined under the various borough officials.

Mr. ELMER SCHOONMAKER, addressed the Commission.

Mr. SCHOONMAKER: Mr. Chairman I represent the Taxpayers Alliance of the Bronx. I came here as a representative of the Taxpayers' Alliance of the Bronx for the best interests of the Association.

By Mr. ELKUS:

Q. You heard the statement made by Mr. Aretander who spoke for the same association? A. I was outside at the time and Mr. Aretander came up on a certain proposition to take my place while I was absent.

Q. Are you going to make the same statement. A. No, I am not. I am chairman of the tenement house committee and the building laws of the Taxpayers Alliance, composed of twenty-three taxpayers' associations of the Bronx, and he as an architect expressed propositions which I could not go into detail about to the advantage of the members present but I would like to state that one of the principal facts which exist in our borough is that the tentative plan we are principally in favor of is for the consolidation of the tenement house and fire prevention bureaus in the building department and we believe the building department is the proper department to control that proposition. As many of our members who are not very wealthy capitalists have to borrow money on their building propositions, when they present plans to the different departments they have got to go from the building department to the tenement house department and from the tenement house department to the fire prevention department and to the water department and I do not know how many other departments before they can get their plans approved. Now then before these people can build their buildings they have to place upon their buildings a builders' loan and interest charged from the time their loan is placed. These people are put to numerous expenses which are unnecessary and caused by the delay of these different departments before these plans are approved. For that reason we are in favor of the tentative plan which is laid down by the State Factory Investigating Commission, with the exception of one proposition. We are in favor of the borough presidents appointing the heads of the building departments for the purpose of obtaining borough autonomy. Borough

autonomy must be obtained in order to get through these measures; not that we have any objection to the mayor or the mayor's powers or anything that he might suggest, but the mayor is surrounded by certain conditions which can not work to the best advantage of the outlying boroughs and in the interest of the property owners of those territories. For that reason we are opposed to the centralization of these powers in the mayor and having him appoint the Commissioners as proposed by this tentative plan. That is the only objection which the Taxpayers Alliance raises to the tentative plan suggested by the State Factory Investigating Commission. Now if they are willing to concede to these conditions we are willing to use our best efforts to bring forth the best conditions which are laid down in their tentative plan; otherwise we will oppose because we consider the conditions at the present time would be better than to have it where the mayor would lay down those conditions and laws and dole them out to the borough presidents; where the building department heads were appointed by the mayor of the city and placed in that territory. We feel that that would be detrimental, that it would create different opinions which would create disturbances in the different departments and would not be to the best advantage of the taxpayers, who when they want to put up a building want to do it in the most immediate and most economical way and with the least expense possible that could be done and for those reasons we are opposing the proposition to the mayor appointing the heads of the department. We wish that the deputy in each borough be appointed by the borough president and controlled by that borough. We are in favor of the tentative plan with the Commission appointed—they are not particular about how the Commission is appointed or how it is arranged but we want certain bodies that are certainly familiar with the facts and conditions of the different boroughs that will put forth the energy and the best interests and not delay and cause expense to the taxpayers of the borough of the Bronx, or Manhattan, or Kings, Queens or Richmond, or any other borough. We are looking out for the interests of all of the five boroughs, while the conditions at the present time are different in each borough. There are certain fire laws which cover certain territory. There are certain laws that provide for territories in which *nonfire* proof buildings

can be built, frame buildings of different conditions that do not come under the fire law which we want controlled by the borough and are put under the best fire conditions that can be expressed as a tentative plan or any plan that can be introduced. We are willing to accept those plans but we want borough autonomy under all conditions, and that is what we stand for and what we are in favor of. Now if this tentative plan will accede to those conditions we will certainly use our best efforts to enforce those conditions but as far as the Commission which is appointed we are not particular who may appoint those Commissioners from the different boroughs who are interested in the building laws, if they will use their best efforts to bring about the best conditions and the most economical conditions. We are willing to favor any of those recommendations presented here to the best interests of the different boroughs.

Now I do not know that I could go into further details. I believe that the other speakers have presented this in proper shape and force and we thoroughly understand what the different sentiments of the different boroughs are, but as for the Taxpayers Alliance of the Bronx we are all poor property owners paying tribute and we are paying dearly for what we are getting at the present time. We believe that the mayor has too much power at the present time, that he can not represent all of the outlying boroughs and give them proper attention which the borough presidents and his colleagues in office can give to the people who are in these outlying boroughs.

Hon. MARCUS M. MARKS addressed the Commission.

Mr. ELKUS: Mr. President, you have considered the plan which we have been discussing?

Mr. MARKS: Considered it long before the tentative bill was drawn. I have prepared a short statement in order not to take up too much of your time, which explains my attitude.

It is the general report that the acuteness of the evil of over-inspection and conflict of orders in connection with buildings in our city, has been brought about largely through the recent activities of the fire prevention bureau and the State Labor Department.

While there is room for reorganization in other existing bureaus, it is quite natural that sufferers should first seek relief from the burdens of the "two last straws which broke the camel's back."

Whether it is possible to organize a board of inspections in order to prevent duplication or conflict, or whether bureaus are to be physically combined in order to get the same result, the main point now is to proceed quickly in the direction of relief which is so urgently needed.

The tentative bill which is here offered for consideration by the New York State Factory Investigation Commission I would strenuously oppose for the following reasons:

1. Because it will bring deputies instead of chiefs into each borough. This would give less opportunity to obtain high grade talent for the then subpositions.

2. It would delay finality in action which would be caused by awaiting the judgment of the chief who would be out of personal touch with at least four of the boroughs. The boroughs building bureaus were united under central city control years ago and the plan failed dismally.

3. Because it is an unbalanced and incomplete attempt toward charter revision of borough and city functions.

It would throw out of balance the relations between city and borough and a little later, when other city and borough departments pass in review before the charter revision commission, other radical changes, now contemplated would again endanger this equilibrium.

The two principal departments under borough authority are public works and buildings. Cut out buildings and you practically break in two the duties and responsibilities of borough government.

If it be wise to aim at the destruction of borough autonomy by such a heavy stroke as the elimination of the building bureau, why not take away the other half, namely, public works, thus ending borough rule.

This subject is too large to discuss at this moment.

There has been no conflict, or overlapping of inspection or duplication of orders regarding buildings between one borough and the

others. The sharp separation of territory prevents any such possibility.

Why then now seek relief from over inspection and duplication or orders by taking from borough control a function which has operated without the slightest conflict of this nature?

If the solution of the difficulty is to be found in a city or State department, the functions of which can safely be consolidated with the borough building bureaus, I have no doubt that the borough authorities would be willing to assume this added responsibility in the interest of simpler and more efficient government.

I understand that such a suggestion is being elaborated.

It should have full and serious consideration as a logical move along the lines of least resistance.

I am prepared to co-operate with State, city and borough authorities who will work toward speedy relief from the present cumbersome and trying system of building regulation.

Mr. HELMS: Mr. Marks, do you approve of this principle of a board of appeals and standards as specified in this bill; do you believe in separate borough building departments and do you think it would be advisable to have that central board of appeals?

Mr. MARKS: I think that a combination, a board of appeals between the various boroughs would be very useful — you can call it by any name you like — a co-operation I believe, the closest co-operation between the boroughs but without cutting the boroughs in two and thus breaking up that form of government.

Mr. ARCTANDER: Mr. President, may I ask a question?

Mr. MARKS: You may.

Mr. ARCTANDER: Do you think that the tenement house department with its inspectors as they are to-day would be a department most desired to have control?

Mr. MARKS: That is a question which I think you will probably go into after you get your testimony. I prefer not to express any judgment as to the relative value of the tenement house department and the building department.

Mr. ARCTANDER: Then, Mr. President, may I ask you another question; you are aware, I think, by your experience as president of the borough of Manhattan that the building department has practical inspectors to do that, that know all about buildings, and as a general thing they are appointed with practical knowledge are they not?

Mr. MARKS: That is the intention, surely.

Mr. ARCTANDER: You are aware, I think, that the tenement house inspectors are not appointed as practical men?

Mr. MARKS: I am not aware of that.

Mr. ARCTANDER: Well, are you aware that the percentage in the examination is only twenty per cent for practical experience?

Mr. MARKS: I am not prepared to pass upon any criticism of the tenement house department.

Mr. ARCTANDER: Thank you. I only wish to bring it forcibly before the Commission that the building department inspectors are practical men whereas the tenement house department inspectors are not.

Mr. MARKS: I am willing to admit the former since the building department comes under my jurisdiction.

HON. JAMES M. LYNCH, Commissioner of the Department of Labor of the State of New York, addressed the Commission.

By Mr. ELKUS:

Q. Commissioner, will you be kind enough to give us your views on the subject under discussion? A. I am opposed to the proposition so far as it in any way menaces the power or authority of the State Labor Department. I expressed that view before and I reiterate it now. If wage earners are to have adequate protection in factories, factory buildings and mercantile establishments it must come to them through a department that is in sympathy with the laws enacted for their protection. I want to make this suggestion, however, that if this tentative proposition is to be presented to the Legislature that it should at least have a section

that will permit the State Labor Department legally to call the attention of the central board provided therein to the violations of the Labor Law so that we may retain at least that much power to exert in behalf of the people who are at work in factories and stores. That is about all I have to say.

The CHAIRMAN: Does any one want to ask any question of the Commissioner?

Mr. JAMES O'BRIEN: I want to ask the Commissioner if it isn't possible for the superintendent of buildings in the different boroughs to have inspectors to enforce the State Labor Laws the same as they enforce the State Labor Laws relating to the construction of buildings?

Mr. LYNCH: It is possible for him to have the inspectors, of course. As to the method for enforcing the laws from the particular point of view of the people employed I have grave doubts.

Mr. O'BRIEN: You have doubts that a man employed by the borough president in Queens or in the Bronx would not be as good —

Mr. LYNCH: I have doubts whether the workers could get any such protection as they have now through the State Labor Department.

Mr. PATRICK J. REVILLE, of the Builders' Protective Association, addressed the Commission.

By Mr. ELKUS:

Q. About how many members are in your association? A. 135.

Q. We should be very glad to hear from you about the matter we are discussing? A. The sense of our members is that the building industry is not an illegal operation to begin with. We take exception to the spirit expressed by Mr. Miller to the effect that the duties of a superintendent of buildings are to execute. We claim, and we claim justly, that the duties of a superintendent naturally devolve on his inspectors and not only to inspect but to advise. There are many types and classes of people engaged in building operations and alterations. Very few of them are

thoroughly conversant with the laws and practically none are sufficiently active to keep up with the regulations. The result is that they unconsciously get into violations of the law or regulations and leave themselves open to a second prosecution. Now we feel that under the present borough system we have in the building department a condition similar to what the Municipal Court is to the Supreme Court. The Supreme Court has its functions and nobody would think of bringing a suit for fifteen or twenty dollars into the Supreme Court, because the cost would be so extreme and for other reasons. But in the Municipal Court is is a different proposition. In the building department it is very much the same. A person goes into a little alteration in their building and they unconsciously violate the law. They want to reach somebody in sympathy with them. They do not want to go down to the borough of Manhattan or deputy commissioner or somebody else, they want to reach a borough president, who if he does not give them a fair ruling he can chastise. We are getting nearer to the spirit of recall in our government and we ought to have it. We in the Bronx have had reason to suffer from deputies. As there are a few Bronx people here I am calling their attention to the matter. During the administration of Mayor McClellan we had the proposition of a gentleman who had spent most of his life in Albany as a newspaper man made Tax Commissioner. I question whether he knew a block east or west of Third avenue. The situation was this, that if a man came there —

Q. There are a good many people to be heard, Mr. Reville. Get down to the question. A. To get down to the question, we are opposed to the centralization of the building department in this sense, we are opposed to a commissioner being appointed with deputies.

Q. Are you in favor of consolidation? A. We are very much in favor of consolidation of inspection. We do not agree with Mr. Lynch that the same sympathy would not be dealt to the laboring man through the building department as through the Labor Bureau.

Q. Do I understand you correctly if I say you are in favor of the consolidation of all these departments for the construction of buildings and alteration of them under borough control? A. Our

association favors the consolidation of all of these bureaus relative to buildings under borough control.

Q. Now Mr. Matthewson made the distinction of construction and alteration under borough control and maintenance; he said that maintenance should be under city control; do you agree with him? A. There is this to be said as to maintenance, that we feel that factory buildings and buildings where floor loads are being constantly changed they should still be left under the jurisdiction of the bureau of buildings as it is absolutely necessary to have plans to determine what floor load can be taken care of in a building. Now the serious question comes up in reference to this particular measure before the body to-day, that is, the new bill relating to the commissioner. We question that bill in this sense, that the commissioner is not required to be a practical man. No experience is asked of him. That is not fair to the builders. There is no reason why a man at the head of the department should be a man without knowledge of buildings. We are getting entirely too much of that in our city government. The fact that a man comes from Cohoes or Maryland does not say that he is a building man. Our board of examiners who get but ten dollars a sitting are the most competent body of men in our city government, and I am ready to answer any question on that. They are men who have made a success of their own business right in this city. The same thing applies to the building department. We have men in the department who have been competent and who prove themselves competent. We want to get away from the doctrinaires. We want to get our own business in our own hands. We have been having too many people come here to tell us how to run our affairs and we have been paying them big money to do it. It is a peculiar situation. You can go to a borough president. You do not have to have an introduction. You can go in and state your situation and there is one question that has never come up here to-day, and I am surprised at it, and that is, where you now reach the head of the department without any red tape, you can eliminate graft. That to my mind is the one real thing in the elimination of graft. If the man building in a small way knows he can see the commissioner and get the commissioner's ear in a sympathetic way and show that he has no intention of violating the law,

that man can then do his business without going about in a round about rigamorole way. A gentleman attempted to answer the building loan proposition. There is a question there, and that is when he goes down for a payment, if there are violations pending on his building, they may be trivial violations of some kind, they may hold back the payment. They will not take a chance with somebody else's money. Going back to the purpose we are here for, I want to reiterate the fact that the association is in thorough sympathy with the building department in the various boroughs and would like to have the various inspection forces placed under their control. If I can go back fifteen years ago, I can tell you that the bureau of buildings took care of tenement houses and factory inspections and there were no more serious violations than there are to-day. There is another feature we would insist upon and that is that an examination for inspectors in these departments be along practical lines, that a man shall be practical in the particular line on which he is inspecting. There is no reason why a man should walk into a building, tell you to do something if he does not know what he is doing, and in complying with that request you are guilty of another violation. Once the inspection is made it should be final.

By Mr. A. GOLDBERG:

Q. Are you familiar with the proposition as outlined in the proposed bill that there should be a bureau of standards and appeals consisting of the chief of the various borough departments, that is, as to whether the department will be organized in different building departments in each borough or whether there will be one set of departments with a deputy in each borough? A. I believe that it will be the policy to have a bureau of standards and appeals consisting of the commissioners of the various departments.

Q. Are you in favor of that proposition — understanding this — that in case you have a disagreement with a certain superintendent of buildings in the borough or the deputy of that borough that in order to argue my appeal I would have to go before this bureau of standards and appeals of which he is a member, in order to find relief; do you understand the proposition that way?

A. No, Mr. Goldberg, I don't understand it that way, and speaking for our association, we would not be in favor of it. We think the board of appeals should be a distinterested body so that you go before a body that is not prejudiced. We know that there is a sympathetic feeling running through a board of inspectors or board of superintendents and one is not going to rule against the other. We do know this, that if you go down before the board of appeals as at present constituted, you go before a competent, able body, who sit there and pass upon your application and judge it on the merits, and as I understand it the board of standards is not for that purpose. The board of standards is to control the regulations of the department and to decide the questions that may come up, and I think to my mind that is a very satisfying thing. It does away with the rulings of individual superintendents and it brings about uniformity.

By Mr. ELKUS:

Q. When they formed the tenement house department and created the department as a separate department, wasn't that created because the building department had not properly supervised the construction and alterations of tenement houses. A. That was an excuse. If you want my honest opinion, I think it was created for bringing about more jobs. I will put it in that sense, just exactly the same as the bureau of fire prevention. This is not a laughing matter, but this is the crux of the whole situation.

Q. You think that the tenement house department ought never to have been created? A. It certainly should not have been created.

Q. Was it fifteen years ago? A. About twelve or fifteen years ago. Understand me, I am not speaking of the provisions of the tenement house law. Those provisions could have been enacted and drafted into the law and it could have been brought about through the building department probably a great deal more efficiently than through the tenement house department.

Q. You think the bureau of buildings can take charge of the building department work, fire prevention work and all this other work; your plan is each borough should have one superintendent of buildings and he should do all this work in that borough; is that right? A. That is the opinion of our association.

Q. You are in favor of consolidation but you want to consolidate into boroughs and not into the city? A. We are in favor of consolidation and the inspection should go back to where it came from, back to the Bureaus. The Bureaus did do the inspecting under the Tenement House Law. The superintendent did have the prosecutions of tenement house violations.

Mr. STEPHEN W. DODGE, addressed the Commission.

By Mr. ELKUS:

Q. Mr. Dodge what is your address? A. 135 Front street, New York.

Q. We will be very glad to hear you? A. I am going to talk to you not only as an architect but as President of the South Midwood Residents Association.

Q. What is that? A. That is a Flatbush taxpayers' civic organization of about one hundred and twenty paying members, and I appear at their direction and also as chairman of a special committee for the City Club of Brooklyn, on the combination inspection of buildings. We feel that the combination of all the different bureaus covering the inspection, construction and alteration of all buildings under one head is along the right line and proper. We feel that the control by borough presidents of the building departments would be the best form for this organization and that the various commissioners or superintendents as appointed by the Borough Presidents would form a commission to which the matter of modifications and regulations as provided for in the code, the Tenement House Law and other matters of Standards would be passed on for all of the boroughs uniformly.

Mr. FRANK E. CONOVER addressed the Commission.

Mr. ELKUS: Mr. Conover you desire to be heard upon this matter?

Mr. CONOVER: Yes, I am a member of the Building Trade Employers Association, President of the Mason Builders Association and Vice-President of Mechanics and Traders Exchange of this city. I believe in the consolidation of all those departments having anything to do with the construction of or alteration to

buildings, and means of exits therefrom, into one department. I believe that this one department should pass upon all plans submitted and that it should have inspectors to see that these plans are properly carried out; that there should not be any conflict between the different departments and that can only be avoided by one department having the matter in charge; that it ought not to be necessary to file plans for the building or for its alteration with more than one department in this city and that one should have the say and that one department should be held responsible for the carrying out of the plans as filed with it. In the proposed draft which I have not had time to study as carefully as I should have liked, there are three things which struck me as being a little bit wrong and which ought to be changed. I believe that the commissioner of buildings should be as it is under the present law, a man who has had at least ten years' experience, either as a builder and architect or engineer because of the technical knowledge and the practical experience that is necessary for that man to have. He ought to be a man capable of determining for himself without referring to deputies whether a thing is right or whether it be wrong. I think that in another part, in another section of it, where it says that the commissioner of buildings may condemn a building and order it altered or torn down that that is giving that man too much authority. I believe that there should be a board of survey provided who should determine whether or not the judgment of the commissioner is correct, a board of survey as it is now, one selected by the owner of the building, one by the commissioner of buildings and those two choose a third and the findings of two of those three should be final. I think it is a great mistake in regard to the board of examiners. I believe the board of standards should be one body of men and the board of examiners another. Their duties are so distinct that it would be very difficult if not impossible to constitute the two into one, and I believe further that these organizations as the present charter provides for or those you may decide upon and which must be organizations absolutely identified with the building industry in this city, that the men whom they elect to be members of that board should be the members of the board and should not be appointed by the mayor. They should not be appointed by anyone. That is a

board that has been in existence for thirty or forty years, over thirty years to my positive knowledge, a board in which politics absolutely plays no part. It is too important. There is no graft in it and it should be a board that is absolutely independent of any man and it would be a moral and absolute impossibility for the mayor, or for the borough president, or for any man to whom you chose to give that power, to appoint that board to do so without politics creeping in and playing a very large part. No matter how honest that man might be he could not avoid it.

Illustrating that, a few years ago there was a bill passed amending the charter and giving the mayor the right to appoint the members of the board of examiners. He gave hearings on the bill as the charter provided and he vetoed it. Some little time after it I was talking with him. I was in favor of vetoing the bill and appeared in opposition to it. I asked him why he vetoed it. He said, "Simply because the advocates of the bill could not answer me one question." He said, "Gentlemen, there is a board in which politics never has played a part and in which politics should never play a part. If you can show me how it is possible for me to appoint the members of that board without politics creeping in I will approve the bill." He said they couldn't do it. It would be impossible for the angel Gabriel himself, were he mayor of this town to appoint the members of that board without politics playing a part. Gentlemen, for the Lord's sake keep politics out of the board. In thirty or forty years there has never been a breath of suspicion against the action of the Board of Examiners. I am not a member of the board. I am not speaking as a reformer, I am a party member and I believe in a party machine, but I do believe there are certain departments in the city in which politics should play no part whatever, and one of those departments is the Board of Examiners. For Heaven's sake, it is clean today, leave it clean, let well enough alone.

By Mr. ELKUS:

Q. How is the Board of Examiners appointed now? A. There are different bodies, Mr. Elkus, for instance the Board of Fire Underwriters have a representative; I think the Real Estate Exchange has one and the Chief of the Fire Department is a member.

Q. A certain number of officials of each department are mem-

bers of this board? A. No, the only official is the Chief of the Fire Department.

Q. And the bodies represent various real estate associations? A. Yes, sir.

Q. Will you tell me how in this bill they are appointed? A. It says: "Such board shall consist of the commissioner of buildings, the fire commissioner and three other persons appointed by the mayor. In making such appointments the mayor shall consider nominations, if any, made to him by the following organizations: The New York chapter of the American Institute of Architects, the New York Board of Fire Underwriters, the Mechanics' and Traders' Exchange, the Society of Architectural Iron Manufacturers, and the Real Estate Owners and Builders Association."

Q. And doesn't it say on the recommendations of these same bodies? A. No, sir, it says "he shall consider;" now shall consider does not say he must appoint.

Q. Your idea is to recommend; and being the society to recommend they shall be appointed? A. No, their election to membership on that board by the several organizations named should make them members of it; there should be no appointment by any one. The chief of the fire department should be a member of it as he is to-day. The commissioner of buildings should not be a member of it, for it frequently has to pass upon questions which he has previously decided.

Q. Some of these associations are very small associations? A. That I cannot answer.

Q. The Real Estate Owners' Association? A. I am not familiar with that.

Q. It has been testified here, I think, it has sixty members? A. Mr. Elkus, I said I did not care what organizations they were.

Q. I am just getting your views on the subject? A. Yes.

Q. The Mechanics' Exchange, how large is that? A. Between nine hundred and a thousand members.

Q. The Real Estate Board of New York how many members have they? A. I can not answer for them, I only know my own.

Q. Then there is the Council of Real Estate Owners, both of which are very large associations none of which under the present law has any representation on this Board, have they? A. That I

don't know, Mr. Elkus, they should be associations closely identified with the building industry.

Q. Your point is whatever associations are named the Mayor must appoint them? A. No — the simple fact of their being elected should make them members of the Board.

Q. Who is going to designate the Association? A. That I can not say, only they should be associations that are live associations and directly interested in the building industry.

Q. When one of these associations get in the law it is pretty hard to get them out and change them, and the complaint has been made — I don't know which one of those associations — but one or more of them were what is called paper associations? A. That I can't say, I only speak for the Mechanics and Traders Exchange and we have between 900 and 1,000 members.

MR. JAMES A. O'BRIEN (Contractor and Builder, Elmhurst, New York) addressed the Commission.

MR. O'BRIEN: I am a builder and I am here representing myself as a builder. I have just glanced over the bill and I believe that we should have consolidation. In fact I had a resolution introduced and passed at the last convention of the Real Estate Exchange to that effect, but that consolidation should not mean that the builders and real estate owners should be at the power of the autocrat of Queens or any other place. We are partially in the power of an autocrat in the Tenement House Department. It would be all right if the autocracy was intelligent. It is the most stupid autocracy I know of. There isn't any one connected with the Tenement House Department that knows anything about the construction of a building. I have demonstrated that. It was fifteen years before any one in the department knew that a door leading from a vestibule should be a fireproof door until I taught them and when I did teach them one of the ignorant examiners wrote back and said "Your plan is objected to because it did not show that the door is all fireproof." I have that letter here. I believe that the superintendent of buildings in the borough should have whole charge of the inspection of all of the buildings in his borough. Whether you make him independent or a Board would

be a matter of detail but I think personally there should be a Board of Building superintendents with power to make minor rules and regulations within the law. I do not believe that the State should make any law on the building code as we have a building code in preparation by Mr. Miller, the former building superintendent of buildings of Manhattan, and I believe the making of the building laws should be always in the Board of Aldermen. I believe that the building superintendent in his own borough should have the general supervision of all buildings and all inspections and then the people in the borough can hold him responsible. It is utterly ridiculous to say that if the Mayor appoints the man that all of the people of New York can hold him responsible. This is a large city. It is hard to get a man appointed by the Mayor. He may be very unpopular. He may do anything he wants as long as the Mayor sanctions it and gets away with it. We have seen that state of affairs in New York; but he can not do that in a borough because if he could the borough government would pretty soon be overturned. Particularly in my section I can speak from experience that any unpopular building superintendent can overturn a borough president which hapened in the case of Mr. Burger.

By Mr. ARCTANDER:

Q. I understand you are in active business fifteen years, in the contracting business? A. About nine.

Q. Have you ever had any opportunity to know the inspections from the Building Department and from the Tenement House Department? A. Oh, yes, all along.

The CHAIRMAN: We already have Mr. O'Brien's view of the Tenement House Department.

Q. In your opinion then Mr. O'Brien are the inspectors of the Building Department capable of taking supervision of the department which is proposed? A. In my experience of the last nine years all these inspectors I have met have been practical men in their own line of trade. Plumbing inspectors must be plumbers; mason inspectors must be masons; a carpenter inspector must be a carpenter; but it is not so in the Tenement House Department.

By Mr. ELKUS:

Q. You are a builder? A. Yes, sir.

Q. You can inspect the plastering, plumbing and carpentering and all of that kind of work in a building, can't you? A. I can.

Q. You can pass on it? A. Yes, sir, I can because I am a builder and do all my own work. I do pass on it.

Q. Why can't the Building Department have one man? A. They do have one man except to this extent, that where there is a piece of plumbing they send a plumbing inspector. For instance, if a plumber finishes he plugs the opening and turns the water on, but a plumber passes on the work.

Q. Don't they have inspectors of masonry, ironwork, etc., by men supposed to be masons and ironworkers? A. Yes, sir.

Q. You can do that yourself? A. Yes, sir, but I am a builder and it is to my interest.

Q. At the same time there isn't an architect in New York city who does not do the whole thing himself? A. Practically, yes, Mr. Elkus. That isn't the idea that I should be allowed to pass my own building and pass them lawfully.

Q. I haven't suggested that; I am just finding out this, whether or not in some of these departments they do not have four or five inspectors to do the work which one man could do? A. Yes.

By Mr. ARCTANDER:

Q. Mr. O'Brien do you know that the building inspector has to measure up all the rooms in each building, the heights of the ceilings, the plumbings, the air and everything else? A. Yes.

Q. And the Tenement House Department does the same work? A. Goes back and does the same work.

Q. It is double work and we have to pay for it, isn't that the fact? A. Yes. There is one thing more I would like to say. There is an outside inspection we have that I haven't seen in your proposed bill here. The Board of Fire Underwriters are assuming the right to come into buildings and inspect them for electrical installation, sometimes causing a delay of a week to two weeks and holding us up on buildings. Now take a building like this with twenty-three families and they hold me up two weeks on this probably or a month and the man loses a month's rent on it.

By Mr. ELKUS:

Q. Is that the fault of the Tenement House Department? A. No, it is the fault of the laws of the State of New York that allows outside people to possess functions they should not have.

Q. What department does that? A. They do that by an arrangement with the Department of Water Supply, Gas and Electricity.

Q. That is a city department? A. Yes, sir.

Q. You don't have to have them if you don't want them? A. I beg your pardon — they don't pass your building.

Q. For fire insurance? A. No, sir, the Department of Water Supply won't give you a certificate until they pass it, you cannot get your current turned on in your building.

Q. That is the Edison Electric Light Company won't turn on your power until you have this certificate? A. None of the electric light companies in any of the boroughs.

Q. You can make your own light? A. Of course you can, but very few men make their own light.

Q. What is the trouble there? A. The trouble is that we have two other inspection bureaus to deal with.

Q. That is a private enterprise? A. Instead of that department belonging to the Building Department as it ought to be and let the department give me a certificate, a full certificate, I have to go to the Building Department and then to the Water Department and then to the State Department, which tells me how many floors can be —

Q. If this plan was carried out that would do away with all of that? A. If it was carried out in a sensible way but by not giving it to another autocrat. We would be out of the frying pan into the fire.

Q. If the plan is carried out to give the power to the Borough President then it is all right? A. We would like to have in our own boroughs something to say about the man who is appointed.

The CHAIRMAN: You are sure there will be no autocrat there?

Mr. O'BRIEN: If there is we would have a power to appeal to and the chances are there would be some sensible man to appeal to.

The CHAIRMAN: Which board would you appeal to today?

Mr. O'BRIEN: We have the Board of Appeals today.

Q. On what, if they don't pass your plans? A. Yes.

Q. Now today with the borough government you have to have all these plans approved and all of these inspections? A. Yes.

Q. Am I right in saying it is your view they should be consolidated as this proposed plan is, provided the power of appointing the superintendent is in the Borough President, is that right?

A. One of the Commission, yes.

Q. Your objection to this plan is, that the Mayor has the power?

A. One man power I object to.

Q. Isn't it one man power if the Borough President appoints?

A. No, it would be five men power because the five Borough Presidents would appoint a commissioner and make it a board.

Q. You want the five Borough Presidents to meet and appoint the superintendent? A. And appoint a member for his own borough.

Q. That is one man power? A. No, because the power who be the final averages.

Q. Now the appointment is of but one man but you want each man to be a member of a board of five? A. Yes, sir.

By the CHAIRMAN:

Q. As a Board of Appeals? A. No, they would be the Board to make rules and regulations, only give them more power than they have and let them take over the inspection of all buildings. You would not need to change any laws on the statute books except to change the form of inspection and bring them all under the building superintendents. They have to meet as a Board today and make all the minor rules and make all the plumbing regulations.

Q. That is a meeting of their own accord; there is nothing that requires it? A. I was not aware of that but if it is of their own accord it could be made into law.

By Mr. SCHOONMAKER:

Q. Mr. O'Brien from an economic standpoint wouldn't it be a saving of millions of dollars to the taxpayers of the city and the builders of the city by consolidating these departments of the Tenement House under the head of the Building Department

where by the filing of the plans in one department we could get that through without going to different departments — the saving is the saving not only to the parties filing the plans but the people who are paying the taxes; isn't that a saving of millions of dollars to both and facilitating matters to a great advantage, to putting through measures which are dilly-dallied with at the present time? A. I believe that the Tenement House Department alone costs the city for the support of the department about three-quarters of a million dollars and I believe that it costs the city of New York, the laboring men something like twenty millions because of the autocratic power that they have. I have had several talks with Mr. Murphy. He is a man I have admired very much and he has practically written down on paper that there are lots of things in the Tenement House Department which says this is better than the laws calls for but we can not allow you to do it because there are too many people watching. The Tenement House Department is not covered by the city, it is governed by a few fakirs. There was a man named Veiller and I have shown this Commission by this plan that I have in my hand where I could give each family on every floor two additional fire escapes on every floor and he told me regardless of the advantages of the plan we can not do it because of the law, I have that plan in my hand where I offered to give more fire escapes and more light to the family on the floor and still leave the fireproof construction as it stands today, because he is afraid.

Q. You say he is afraid; if the law says one thing you don't expect a commissioner to use his discretion and disobey the law? A. It is not his law, it is his interpretation of the law, it is like every other law. You can make a law odious and you can drive builders out of New York. I know men who have been driven to Hoboken. When I come to sit down across the table with Mr. Murphy where we pulled down a building he said he was going over one hundred typical cases. The only thing he told me was that I was more technical of my criticisms of his department than his department was with the builders and he said the Tenement House Department was established to show men who did not know how to build, how to build and to save money, and he puts practically the same language and signs it. Mr. Chairman I say that

there is no other city in the world where the city will establish a school for builders. Why don't they establish a school for tailors and shoemakers. That is what your Tenement House Department is today. One of them could not draw a plan to save his life. He has to go around and hire experts and when he gets through — good night.

Mr. ELKUS: I should like to see those letters Mr. O'Brien.

Mr. O'BRIEN: I will mail them to you, where the Tenement House Department was used to prevent men making mistakes.

Mr. EDWARD P. DOYLE (Vice-President Realty Notice Corporation).

Mr. DOYLE: We represent over three hundred property owners who are assessed on over three hundred millions of property in New York city. What my people want is a simple method of inspection. They believe that all inspection that has to do with the erection of new buildings and structural changes in old buildings should be done by one department, preferably the Department of Buildings. They also want uniform laws so that they will not be compelled each year to make extremely costly structural changes at the whim of somebody. I think I can illustrate that by telling about one of my customers who, fortunately for himself, is not in good financial condition. He owns a loft building on Seventh avenue, nine stories high, three of which have been vacant for several years. He was ordered to put iron shutters on the building. He did not have the money and did not do it. Now they tell him it is not necessary. Then he was ordered to put in a ventilating apparatus. He did not have the money and now he is told it is not necessary. About a month ago he was ordered to put in a sprinkler at a cost of about twelve thousand dollars, and recently to put in a fire alarm system. He is not in shape to do either of those two things and I suppose if he waits a little he won't have to put them in, and yet all of those things he would have put in if he had been in shape to do it. It does seem that where so much is involved there should be some uniform system of laws that can be uniformly enforced, so that one man would not have to put in a sprinkler system that costs from twelve to forty

thousand dollars and the next man to him by waiting or delaying until there is either a change of government or sentiment not have to put it in.

The CHAIRMAN: Who ordered him to put that in?

Mr. DOYLE: The Fire Department first and then the Board of Health for the ventilating apparatus.

The CHAIRMAN: I am speaking of the sprinkler system.

Mr. DOYLE: The Bureau of Fire Prevention. We have one building I represent for the Interborough — the Cable building, where the structural changes and things ordered in would make a difference in the value of that building of \$124,681, thereby absolutely destroying its productive value as a piece of improved real estate. They have appealed from all of the orders. They have just had a Board of Survey on a \$40,000 sprinkler service.

By Mr. ELKUS:

Q. That is the Board of the Fire Prevention? A. Bureau of Fire Prevention and it does seem where the Board is given power to order in changes where the cost will amount to \$124,000 that it ought to be done under some uniform law and some method of execution so that the man putting it in knows that his neighbor has to do the same thing and everybody else in the city has to do the same thing.

Q. Are all the changes in this Cable building ordered by the Fire Prevention Bureau? A. In the Cable building, yes sir. In another matter I represent the Goelet estate and they were ordered to fireproof thousands of windows by the State Labor Department and if they had complied with the order immediately they would have put in fireproof windows on each side of the fire escape, a rule which is not now strictly enforced. They of course have put in the fireproof windows along the line of the fire escapes but their first orders were to put in windows on each side of the fire escapes. The order was issued to put them in. I advised them to wait and we waited, but you see that that is not a fair proposition.

Q. The fault is with the administration of the law? A. My idea is that after a building is erected in accordance with law and the plans are adopted and the man builds in accordance with the

plans that he ought not to be compelled to make cutly structural changes either through a whim of the Legislature or the whim of some individual in charge of the enforcement of the law at the time; that a man ought to know definitely what he has to do when he puts up a building.

Q. Suppose the building was erected under the law as it then was and everybody supposed it was safe; then suppose it turned out afterwards it was not safe to be occupied; would you be in favor then of preventing any change being required in that building? A. Not after it had been inspected by a board of competent men and declared to be unsafe; the building then should be changed, of course.

Q. I don't mean it should be torn down, but take this case, this very sprinkler system; it has been demonstrated that sprinklers are a great preventative of fire and at the time that some of these buildings were built people did not know much about the sprinkler system and did not put them in; now suppose the law authorized a commissioner of the fire department authority to order those sprinklers in would you be in favor of the law prohibiting that being done in every case where the building had originally been passed and approved at the time? A. Mr. Elkus, that is a very difficult question to answer.

Q. I understand your position and it is a very hard one at times when a building is erected and under the then existing law it carries out every provision? A. I believe absolutely in the right of property. I think the pendulum has swung too far the other way in favor of individual rights and too little respect has been paid to the rights of property. My belief is that if you continue on with this absolute disregard of property rights life itself will not be of any particular value anyway, and I think when a man puts up a building in accordance with the law and does everything he possibly can to make it safe under the law that before any great structural change is made it ought to be clearly demonstrated that it is absolutely necessary and that such order is not based on the unsafe judgment of an inexperienced official.

Q. You would take that view of it even if it was found that human life was endangered by letting it go on as it was? A. I am not saying that, I say it ought to be absolutely determined that

human life is endangered. Take this same sprinkler proposition; one of the most important insurance men in town told me that he thought the time would come when insurance men would charge a higher rate on buildings with sprinklers in them than on buildings without sprinklers in them. He said he had watched the losses lately and found they were greater from water than from fire.

The CHAIRMAN: All of our large fires have demonstrated the contrary.

Mr. DOYLE: He is an insurance man and I would rather take his view of it than the view of a man who is not experienced.

Q. We have had before us the Board of Fire Underwriters and they all have been unhesitatingly in favor of the sprinkler system.

The CHAIRMAN: I was a member of a commission a few years ago and the experts all brought out the point that the sprinkler was the main thing.

Mr. DOYLE: You remember the report of the Tenement House Commission and the report of Dr. Gorgas changing the entire so-called expert opinion as to the necessity for light and air.

Q. Your view is generally speaking you do not think that any department or any legislature or any board should interfere with any building that has once been erected no matter how old it is provided that at the time it was erected it complied with the then existing laws? A. I will put it this way —

Q. Am I right about that? A. Not entirely right. I believe as far as the housekeeping and the maintenance of the building is concerned that should be absolutely under the jurisdiction of the authorities, but I think any structural change in the building should not be ordered until it is absolutely determined it is necessary.

Q. Now you know Mr. Doyle in this city and other cities for that matter a great many buildings were built for one purpose and then afterwards they were used for an entirely different purpose? A. I know that.

Q. For instance buildings were built for residences and then turned into lofts and used for manufacturing; now in a case like

that would you say there should be no change in the structure of that building even if it was expensive? A. Certainly not, that is another matter altogether.

Q. Now are not most of these changes you speak about in buildings which have been constructed for one purpose and changed to another? A. None in the buildings that I represent.

Q. You take your very Cable building, that was constructed originally as an office building? A. Yes.

Q. And now they want to use it as a loft building for factory purposes? A. Only eighty people engaged in manufacturing. There are 692 people in the building and only eighty engaged in manufacturing.

Q. But don't they want to use it for manufacturing; isn't that the fact? A. I think probably that is the fact.

Q. And that is because of the changed nature of the building, now hasn't the same thing occurred with all of the theatres throughout the city — originally theatres were built in a certain way and were supposed to be as near fireproof as possible and had adequate exits and then after one or two bad fires they discovered they were not adequate and they ordered alterations in the theatres; isn't that a fact? A. Yes.

Q. Now suppose it was discovered as it was then that those theatres that had been built hadn't sufficient exits and were not properly constructed, would you be in favor of saying even if that was so constructed that there should be no changes in the building because it had been approved and the changes were going to be expensive? A. No, but I would say that that change should be determined by some one competent to determine it.

Q. I assumed that; of course if it is dishonestly done or incompetently done that is the end of it and that is true of every one of these things? A. I do not mean dishonestly done, which is impossible you know, of course, because of the character of the men now at the head of these departments and charged with the enforcement of these laws, but I would like to ask you — although I suppose you do not care to express an opinion, if these men had any experience before being appointed that would enable them to determine whether the changes they order were absolutely necessary or not.

Q. Some of the men have had the experience, the building superintendents have? A. The building superintendents are alright and the Board of Examiners are alright.

Q. That question is up to the appointive power.

The CHAIRMAN: We are not here to criticize the Mayor's appointments.

Mr. DOYLE: I am not criticising the appointments but I do say that when a structural change is ordered the men who determine and make the order should know what they are doing and it should not be done on somebody's whim.

Mr. ELKUS: Everybody agrees with you on that.

By Commissioner MCGUIRE:

Q. You want to make the point that in some instances the department ordered sprinklers and other expensive apparatus into a building and there is no security to the owner that when they are installed that they will be satisfactory or remain satisfactory for any stated period? A. Yes, we have had buildings where all sorts of things have been ordered in. Sometime the order is complied with and sometimes it is not and when it isn't it is just as well as if it is complied with and after a while conditions change.

Q. Does that apply to the Bureau of Fire Prevention? A. It applies to all of the departments. I can illustrate that by saying that I was for thirteen years President of the Board of Health and each year we changed our health officer and each health officer told us the last health officer was absolutely no good, and his regulations of no value. In many instances where fire escapes are in the rear of the building although they were once ordered there they have now been ordered down.

Q. Take for instance the Cable building you spoke of; if they install a sprinkler system there that was satisfactory to the Fire Prevention Bureau it does not necessarily follow that it would be satisfactory to the Fire Underwriters? A. No or the State Labor Bureau.

Q. And the sprinkler system put into that building now may not be satisfactory to the Labor Department six months from now? A. That is exactly what I mean.

Q. What is the approximate cost of installing the sprinkler system in the Cable Building? A. About \$40,000.

Q. Then that owner would be put to the expense of \$40,000 in complying with the orders of the Fire Prevention Bureau and perhaps six months from now he would be put to the same expense in satisfying the Labor Department? A. Yes.

Q. Then there is no uniformity today that you know of in the city of New York over sprinkler systems? A. Absolutely none.

Q. Do you think under those conditions today any man should be compelled to put in sprinklers? A. I do not unless it can be shown it is for the saving of life or as a matter of insurance saving.

Q. Do you know whether or not the question of sprinklers being put in is necessarily a property hazard or life hazard? A. It was because it was represented to the property owners that they could get cheaper insurance, the tenants could get cheaper insurance and the owners could get cheaper insurance rates, but in no instance was it installed because it would save life.

The CHAIRMAN: If it prevents the spread of fire it saves life, doesn't it?

Mr. DOYLE: Problematically.

Q. Are you familiar with the orders coming out of the Bureau of Fire Prevention issued by the Bureau of Fire Prevention? A. I have some every day.

Q. Mr. Doyle, are those orders directed to the property hazard or to the life hazard? A. I should think they more frequently are for the protection of the property hazard rather than the life hazard.

Q. Have you ever heard there is any form of co-operation between the New York Board of Fire Underwriters and the Fire Prevention Bureau? A. No, sir. I know there are frequent conferences between Mr. Hammitt and Mr. Stewart, but I don't know that they do co-operate in any way.

Q. Do you know whether any insurance company of New York has written to the Bureau of Fire Prevention relative to certain risks in the city? A. No, I do not.

Q. Have you ever heard anything of that kind? A. No.

Q. Would you believe it to be a fact that the Fire Prevention Bureau received over 150 post cards from one insurance concern

in the city of New York directing their attention to their risks?
A. No, I haven't heard of that.

Q. Do you believe that the Fire Prevention Bureau is maintained more for the benefit of the insurance companies and the property hazards than the life hazards? A. I think the efforts of the Fire Prevention Bureau are more to save property than to save life. I think from the very beginning Mr. Johnson instituted it with the idea that it was to save property and incidentally, of course, to save life, but the property hazard was stated as the great hazard in the city.

Q. The Fire Prevention Bureau, so far as you know, never issues any orders affecting fire escapes? A. All the orders I have had were for sprinklers or for tanks.

Mr. ELKUS: I think they do issue orders.

Commissioner McGUIRE: I have never heard of any. If they have issued orders were they in relation to the enclosure of stair cases?

Mr. DOYLE: No, none to me. All my orders have been sprinklers or tanks or fire drills or fire alarms. That is about all.

Q. Then really the orders issued out of the Fire Prevention Bureau so far as you have been able to observe are mostly directed at the property hazard? A. Yes.

By Commissioner JACKSON:

Q. Mr. Doyle, in answer to a question of Commissioner McGuire I understood you to say that the Labor Department had ordered fire escapes down provided they were required means of exit? A. I think those orders are from the Fire Prevention Bureau.

Q. Not from the Labor Department? A. I think not. I don't remember — I don't know them — it seems to me I have had orders where there were fire escapes in the rear and there was a required exit in the front, or where there was a three feet wide through passage or fireproof passageway say from the rear to the front the fire-escape was ordered closed or taken down.

Q. Isn't it near a fact that the Labor Department might have said that they did not care what was done with the fire escape so

long as the required means of exit was maintained inside of the building?

Mr. ELKUS: What they did say was that these fire escapes could stay there if they made them safe.

Mr. DOYLE: I have orders to take down fire escapes.

Mr. ELKUS: They finally said they could stay there if they were made safe.

By Mr. ELKUS:

Q. Now what do you suggest now, Mr. Doyle; are you in favor of consolidation of these departments into one? A. I am in favor of having one department of buildings in charge not of house-keeping but with everything to do with the alteration or construction of buildings. If I had my own way about it I would have that a central department.

Q. City department or borough department? A. City department with deputies in each borough, but that bill you could not get through and I think it is best under the circumstances to compromise with the Borough Presidents.

Q. Then you are in favor of the tentatively proposed plan? A. I am in favor of the proposed plan with such a change. I do not think you can beat the Borough Presidents.

By Commissioner JACKSON:

Q. You would not be in favor of anything that would lessen the protection now thrown around workers in factory buildings, would you? A. No, the housekeeping and all of that I think should be left with the State Labor Department in the factories and I think what they have done has been excellently done but I do not think they ought to have to do with structural changes in this city.

By Mr. ELKUS:

Q. Where there is a building department in the city you think that ought to be transferred to the building department. A. Absolutely.

Q. You know in several of the other parts of the State they have no building department? A. Then it should be under the State Labor Department.

By Mr. HELMS:

Q. Are you in favor of the Board of Appeals? A. I am in favor of retaining the present Board of Examiners. That really is one of the most efficient bodies in the city of New York and one to whom we can always go and get absolute justice.

By Mr. ELKUS:

Q. That board is selected now by certain organizations who have had that power for a number of years; I suppose you would like to see that power extended? A. Yes, I would.

By Mr. HELMS:

Q. Outside of political expediency do you think that there is any serious objection to the borough departments? A. There are reasons for and reasons against borough departments. The reasons for are, it is always best if you can get a board closer to the people and yet sometimes it has turned out badly.

Q. Has not previous experience shown that the central department has turned out badly? A. Well, yes, in some ways.

By Mr. ELKUS:

Q. We have had a central Fire Department? A. The central Fire Department has turned out all right.

Q. And Health Department? A. Yes, and the Police Department.

By Mr. HELMS:

Q. As far as this proposed law is concerned? A. The Health Department has not turned out well. A year ago the Health Department ordered that all manure should be removed from the farms in the suburban boroughs every twenty-four hours and various other orders were issued showing a lack of knowledge of local conditions.

Mr. O'BRIEN: Can you see any analogy between the Police Department and these other departments we have been talking of?

Mr. DOYLE: No.

Mr. JOHN W. MOORE (Superintendent of Buildings for the Borough of Queens):

Mr. ELKUS: Go right ahead Mr. Moore.

Mr. MOORE: I will be very brief about the general proposition. I am in favor of the consolidation of all of these departments but I believe they ought to be under the borough president for the same reasons as stated by our borough president this morning, with one additional statement that he did not make and that is this, that there is no overlapping of authority between the two boroughs and that is what brought about this investigation — that was the elemental point that started this matter. There has been no case and there can possibly be no case in which the Borough of Queens overlaps Manhattan, Brooklyn or any other place. That point was also made by Borough President Marks. The point I want to make particularly is the question of unifying the rules in the various building departments. I believe that first of all the five superintendents should constitute a board that would elect a chairman and be required to meet at stated intervals for the purpose of establishing rules such as standard forms of application and things of that kind that are going to be used in all of the boroughs and they should be obliged to meet every week or every two weeks. Now the five superintendents up to probably the first of the year 1913 endeavored to carry out that policy in an informal way and they met regularly in the office of one of the superintendents and finally one superintendent got a notion in his head that it was time wasted and he turned his back on the whole proposition and we went there twice after and finally we transferred the meetings to another borough and the four that were in the meeting continued to meet until the first of the year and we got along and cut out a lot of objectionable stuff in that way in at least four boroughs. Now the other point is, the Board of Examiners. It would be a mistake to interfere with that proposition. The Board of Examiners today are the best body that can hear appeals and there has been no time since they were organized that the same conditions did not prevail.

Mr. ELKUS: Who appoints them today?

Mr. MOORE: The Mayor appoints them.

Mr. FRANKLIN: No, they are appointed by the Board of Fire Underwriters.

The CHAIRMAN: You mean they are recommended by them.

Mr. FRANKLIN: They are confirmed by the Mayor.

Mr. ELKUS: They are nominated by the Mayor.

Mr. MOORE: If that be the case I would recommend a change and I would require that those various organizations submit names and let the Mayor make his appointments from those names.

The CHAIRMAN: As a matter of fact you could not do it any other way; it would be unconstitutional.

By Mr. ELKUS:

Q. This redraft is practically the same with a few additions?

A. You in your redraft make the Board of Standards and the Board of Appeals one body. I think they should not be; and I also call your attention to one provision incorporated in your draft in which you say that the owner of a building may submit his plans to the Board of Standards and Appeals and get their decision on them and then go back and give them to the superintendent and say to the superintendent, there is my plan, approve it, this is approved already. That is how it works out. That isn't right. It's like going to the Court of Appeals first and saying we will have the opinion of the Court of Appeals on this proposition and the trial judge has nothing to say about it.

Q. Your point is that he should have to go to the Building Commissioner first? A. Exactly, that is on page 19 of the tentative draft. Now I want to say this about a remark that was made by Commissioner Lynch. A law is a law. As long as the party who is enforcing the law is competent and honest it doesn't make a particle of difference who enforces it. I want to say that the superintendent of buildings if he is honest and competent is as well fitted to protect life and limb as the Commissioner of Labor and has that interest as much at heart. That, it strikes me, is all I care to say.

By Mr. O'BRIEN:

Q. Your inspectors inspecting in your department now, when I file that plan, for rooms of such and such a height and size,

before I get the certificate out they measure the rooms as to height, width and length? A. They do not, that is entirely within the jurisdiction of the Tenement House Department. In relation to that though I could say this, that my inspectors without a dollar's additional cost to the city could do that work because they are obliged to go to that building day after day when there is nothing for our inspector to do but pick it up on his rounds and he could do that work at that time.

Mr. ELKUS: And he could also do it for every other department?

Mr. MOORE: Every other department but I do not agree with your proposition that one man is sufficient to inspect all sorts of work.

Q. As a matter of fact the inspections of the Tenement House Department and your department are simply and purely a duplication? A. No, there is no duplication between the Tenement House Department and the Building Department at the present time.

Mr. ELKUS: The point is your inspectors could do the same work?

Mr. MOORE: My inspectors could do it. It would save the city money and it would be more convenient for the owner, but there is no duplication.

Q. Is there sometimes a conflict between your department and the Tenement House Department? A. I don't know of any.

Q. Wasn't there a conflict between your department and the Tenement House Department on this building on Amity street? A. That is something they had nothing to do with and interfered with a matter that they had nothing to do with.

Q. Didn't they order me to take it out? A. I don't know.

By the CHAIRMAN:

Q. Are your inspectors competent to do all the inspection work that is now required to be done by the Tenement House Department? A. The Tenement House Department looks after the light and ventilation. They look after the sizes of windows and

sizes of rooms. I am talking about the building before it is completed, and that is all that I refer to. Now, a clerk, with very little practice could do that as well as a mason or carpenter or plumber. In other words any man that has common sense and education could do the work that is required of a Tenement House inspector provided he knows the law, so that my men could do it as well as the Tenement House inspector and could do it without additional cost I think.

By Commissioner McGUIRE:

Q. Mr. Moore what was the appropriation for your department in 1914? A. You mean Queens?

Q. Yes, Queens? A. \$87,000.

Q. What was the Department estimate for 1915? A. The same thing.

Q. You did not ask for any increase? A. I asked for an increase but did not get it.

Q. Would you care to approximate how much more it would cost to inspect work in the Borough of Queens if it were being done under a consolidated department? A. You mean centralized department — more do you mean?

Q. How much do you approximate the cost, how much more than the \$87,000? A. That I could not approximate but if I compare the figures of Manhattan, on which plans the department would probably be run, I would say this, that the cost would be double. I will give you my reason. We have in the Borough of Queens filed every year approximately six thousand plans and alterations. In the Greater City of New York there are but 14,000 plans filed. In other words Queens has three-sevenths of the plans filed in Greater New York. To do the clerical work in connection with a plan filed there is as much clerical work on a plan in the Borough of Queens for a chicken house in the back yard for the remotest part of Queens as there is on the plan of the Woolworth building. I make that statement and defy challenge. I get along with seven clerks and do all of that work. I have two stenographers. The Manhattan department has 47 clerks and 21 stenographers. Now if you appoint the new building department you are going to organize under this plant and introduce the Manhattan methods you will find the building de-

partment will not save the million dollars we are talking about but will double it to another million above the present cost.

Q. You believe a saving could be made by consolidating this department if you put the consolidated department under the head of the respective borough presidents? A. I do.

Q. How much do you believe could be saved? A. Nine hundred thousand dollars.

Q. On the entire city? A. On the entire city.

Q. Speaking of your own borough? A. I can not segregate the matter because I do not know just what the tenement house charges would be in Queens, what the Water Department charge would be in Queens, but I do know what additional cost would be in Queens and that it could be done for less than six thousand dollars. For six thousand dollars I will take over all of that work and do it properly.

By Mr. ELKUS:

Q. Mr. Moore we are all discussing this one plan and everybody, with few exceptions, seems to be in favor of consolidation?

A. There is no doubt about it.

Q. Is there any other kind of plan you can think of? A. To get away from it?

Q. Yes? A. No.

Q. You heard Commissioner Adamson's suggestion that the Fire Department should be left, the Fire Prevention Bureau? A. There is a history to all departments. About the Fire Prevention Bureau, the cause of the creation of that Bureau was the Triangle fire. As far as that and the Tenement House and the fire protection work and the factory inspection work, that was done for years and years by the building department and was done properly and if any trouble came afterward it was not because of the building department not doing their work, but because they did not have the power to enforce the law. Now give the building department back their proper capacities, let them do this work and give them the power to enforce the law and you will do better than you will with all of these other departments.

Q. They did not have these laws? A. They did not have the laws.

Q. And did not have the power to enforce the laws, did they?
A. That's the idea.

Q. And they did not have enough inspectors? A. You will have to admit it, you have been at all of the hearings and I have been only at a few — there has been no criticism of the borough department.

Q. I can not quite agree with you on that? A. If there has it has been on the proposition that I have been trying to overcome, the uniformity of rules only.

Q. We did not start with any proposed plan; we are here to get views? A. I have had my say.

Q. One question, do you know of any other way except by consolidation of these departments into one department, whether it be in the Bureau of Buildings under the boroughs or whether it be under a centralized bureau, do you know of any other way except by consolidation? A. No, I do not.

By Commissioner McGUIRE:

Q. Could you get for the information of the Commission the cost of the various departments now doing the inspection work in the borough of Queens, the Tenement House and other departments — I think it will be difficult to get that because they don't separate it — and tell the Commission what in your opinion it would cost to do that under a consolidated department; now that would only be approximate information but it would be helpful; do you think you could do that? A. I do not think I could, first for the reason that the other departments who were going to be legislated out of office would not be likely to give me the figures; and secondly for the reason that I do not know the methods that they are going to employ, whether they are going to employ the methods now in vogue in the boroughs of Brooklyn and Queens or going to employ the Manhattan methods.

Q. I ask you on the assumption that they are going to do as you suggest, under the borough president; tell the commission what you think it will cost the consolidated department in the Borough of Queens to do the required work? A. I will do that.

By the CHAIRMAN:

Q. Didn't you say you could do it for six thousand dollars more? A. Yes, sir, six thousand dollars more.

Q. That would make it \$93,000? A. \$93,000 and by that I mean this only that I will examine the plans for all buildings that are submitted in accordance with law including the building code, the fire prevention, labor law, moving picture theatres, and I will make the examinations and turn them over with a certificate that they are built according to the law.

By Commissioner JACKSON:

Q. How many examiners have you? A. We have five examiners. I think under the new scheme we would need an additional examiner.

Q. Five examiners to run over how many plans? A. Six thousand a year.

By the CHAIRMAN:

Q. Mr. Moore you are satisfied that the present system of inspection is faulty? A. Yes, there is no doubt about it.

Q. And you think it ought to be changed and simplified? A. Yes.

Q. And there could be a reduction in the amount of money which the city is paying for these inspections? A. Yes.

The CHAIRMAN: Mr. Moore is a practical man and he has a very high reputation and his plan is that it should be by consolidation under the boroughs.

By Mr. HELMS:

Q. Do you think this Board of Standards and Appeals could take the same duties as the Board of Examiners have to do and instead of having a separate Board of Examiners and a Board of Appeals that we have one board and have that board perform the same functions that the Board of Examiners do today? A. I do not like the plan, I think the Board of Examiners should be conducted just as they are.

Mr. ABRAHAM GOLDBERG (New York Society of Architects) addressed the Commission:

Mr. ELKUS: How many members have you?

Mr. GOLDBERG: Over 200 members all paid in. I am directed by the society to tell you that we have not had sufficient time to go very deeply into the details of the tentative bill, as the committee having charge of this matter did not get it until a few days ago. We desire permission to submit more suggestions to the committee at some future time.

In a general way we are heartily in favor of the consolidation of the various departments as outlined in the tentative measure. We are also in favor of centralization. In view of the fact that there was so much opposition exhibited at this afternoon's session to the idea of centralization, and in view of the fact that there appeared to be so much agreement in favor of consolidation without centralization, I would like to say for myself that I would be willing to accept the plan of consolidation without centralization in order not to jeopardize our chances of having this measure become law. I feel that it would be a compromise in the nature of the Federal Reserve Bank compromise, when twelve reserve banks were planned, in spite of the fact that all the experts agreed that one central bank would have been much better. In this case it was a matter of expediency that ruled. I should like to apply the same sort of expediency in connection with this measure.

The present Tenement House Department best illustrates how the new centralized department would be organized. There is a commissioner appointed by the Mayor. The commissioner appoints deputies and superintendents, chief inspectors, etc., who are assigned to the various boroughs. Still, even under this admirable scheme, I find that there is not that evenness of ruling on the law that one is led to expect. However, the present commissioner has shown himself extremely willing to standardize the practice and rules in the different branches. The Tenement House Department lacks only a Board of Appeals to make its organization look like the organization of the new department, the creation of which we are in favor today.

The New York Society of Architects directs me to call the attention of this Commission that they are not in favor of the Board

of Standards and Appeals as outlined in the tentative bill. There should be two separate bodies as follows.

I. *Board of Standards.*—The Board of Standards shall consist of the Commissioner of Buildings, the Fire Commissioner and three (3) architects or engineers appointed by the Mayor. (In case the departments of the five boroughs are not centralized, then the New York Society of Architects favors that the Board of Standards shall consist of the five Superintendents of Buildings, the Fire Commissioner and three architects or engineers appointed the Mayor.)

II. The Board of Appeals should be organized in the same manner as the present Board of Examiners is organized, except that the New York Society of Architects should have a representative therein.

In reference to what Commissioner Lynch said this afternoon about the benevolent work of his department, that is, the Labor Department, I should like to lay before you, if it is pertinent, a very interesting case of his department's benevolence. It may be extremely efficient—

The CHAIRMAN: I suppose you offer that as an argument for the consolidation of the inspection?

Mr. GOLDBERG: I should like it to be an argument for consolidation. Mr. Lynch seems to be very positive about the benevolent administration of his department. He stated that no other department could do the social work which his department does. I wish to give an example of the social efficiency of that department. A client of mine called my attention to one of his buildings at a certain street, a six story nonfireproof building, which had only one staircase for exit purposes. The Labor Department had placed a violation on his building, which violation demanded that another means of exit be provided. This violation could be satisfied either by providing a stack of fire-escapes, or another staircase, or a horizontal exit, any of which would be acceptable, and would comply with the law. Upon investigation I found that the horizontal exit could be a solution in this case, because there was a seven story fireproof building next door of almost the same total height. I found that my client had an interest in this second building, which fact tended to help the solution which I had de-

cided. In looking through this second building I discovered that it too would have to be remedied in the same way for an additional exit because the staircase was its single means of exit. My client informed me that there was no order on the fireproof building to provide an additional means of exit; that there had been some orders for minor matters which had been satisfied, and that as far as he knew there was no violations of the Labor Department against this building. In order to verify my client's statement I went to the Labor Department and was informed there that all the violations against the second building had been complied with; that there were no outstanding violations against it.

In spite of the fact that this department has been organized for more than a year, and that this department had examined this building and had stricken its violations from the records, it would have been possible for my client to sell this building to another, both seller and buyer in ignorance of the fact that there was a serious structural change necessary in it to make it comply with the law. I have no doubt that there must be many cases of this kind in the city where such example of the benevolence of the Labor Department has inflicted unnecessary hardship on innocent purchasers.

I asked one of the officials of the Labor Department why there was no violation for the additional means of exit against the building. I was told that the policy of this department was to treat the worst cases first, and that they knew that this building did not comply with the law, and that they were holding back the violation in order to avoid public clamor; that they would place this violation on the building a year hence. The benevolence of the department is evidently brought out by the fact that the Labor Department has tender feelings for the owners of property which makes it seem to say to owners, "We are serving you with this new violation now, although we had examined your building last year, because we did not want to give you heart disease." I am unable to discover in this case that there was any social or welfare benefit either to the factory workers of the building, or to the owners of property. If it is true that that is the attitude of the Labor Department, I fail to see where the worker or property owner benefits. This offense might be condoned by saying that ignorance of

the law would not excuse the owner, who is presumed to know not only the law but also the condition of his building.

By Commissioner JACKSON:

Q. Will you give the stenographer the name of the concern and the number of the street? A. I wouldn't like to just now if you don't mind.

Q. Will you give it to me personally? A. I will. This case is under examination by the Labor Department now, and while I do not think they would be guilty of prejudice, still I would not like to speculate on that proposition.

By Mr. ELKUS:

Q. You are in favor of the consolidation of the departments? A. We are in favor of consolidation of departments.

Q. But you feel that it has to be done under the Borough President? A. As a matter of expediency only. The building departments, given the various laws now in ordinance or statute, could easily see that they were carried out. I think that too much time is spent upon going into the intricacies of the law which are not of sufficient economic or social benefit to warrant the time and the money that is spent upon them.

A proper supervision of inspector's reports could affect a great saving in the managements of the various bureaus if the departments would change their attitude with reference to the matter of their records. They require that architects shall amend their papers to a degree that is not only costly to him, but also to the city, as it involves a large amount of clerical work. They accept inspector's memoranda in some cases to note the changes, whereas they require the architect to make the changes in other cases. The attitude of the various departments should change in reference to plan examination. They should recognize that a plan represents the solution of a problem. That solution has certain economic features which they should not miss. The departments are too prone to insist upon literal adherence to the law, even in cases where there is no social or welfare gain but which could result in effecting a saving in the cost of construction. Why should not the building bureaus and other bureaus relax their efforts in causing an unnecessary economic waste. That is the reason that we

have such violent upheavals of aroused public indignation. Laws should be general. The interpretation of the law should be applied to the solution of the plan.

I have previously dwelt upon our suggestions in the matter of the Bureau of Standards and the membership of the Board of Appeals which should be patterned after the membership of the present Board of Examiners.

Q. You mean they should be selected by societies but not by those now named? A. Well, some of them. Some of them may be omitted. We could send a memorandum on that if it is wished.

I should like to speak to you about that part of the tentative bill relating to the qualifications of the Superintendent of Buildings. The law is not very clear. It reads, "a builder, architect or engineer of ten years' experience." We should like to make that a little more definite. A builder means anyone who has ever had anything to do with buildings. We have had several building superintendents who were builders in the sense that they had been factors of buildings; in other words, they would construe themselves general contractors and have buildings erected by numerous subcontractors. In that case the erection of their buildings depended more upon accident than upon the design. If the term builder must be maintained, I should like to see it read "Builder who was engaged in one of the building trades."

Q. Isn't that up to the appointing power? A. It is, but I think the definition would clear it up.

Q. You might say the same thing of architects? A. We could say the same thing of architects. A practicing architect of ten years' experience would be a better definition.

Q. Anybody can be an architect who wants to call himself such? A. There is no ruling on it.

Q. Anybody can be an engineer? A. Anybody can be a lawyer if he passes an examination.

Q. If he passes an examination? A. If you are an architect of experience your work speaks for itself.

Q. Those are professions which unfortunately are not yet regulated? A. We hope to have them regulated very soon.

The New York Society of Architects stands sponsor for a bill regulating the practice of architecture, and would be pleased to see

this Commission recommend that the practice of architecture be regulated.

I believe that the body of architects in New York city could be easily made a homogenous unit capable of being used for the highest type of social and welfare work. They could be made officers of the various bureaus, just as lawyers are officers of the courts in which they practice.

The CHAIRMAN: Does any one else desire to be heard? (There was no response.)

Mr. ELKUS: Anybody who desires to submit a brief may do so by the 10th of December.

Mr. ELKUS: The following papers have been received and I ask that they be spread upon the records.

The papers referred to are as follows:

November 20, 1914.

HON. ROBERT F. WAGNER, *Chairman*:

MY DEAR SENATOR.—Some time ago I received a letter from you, in reply to one which I wrote you in regard to the consolidation of Departments. As I can not be present at the hearing on Monday, I take the liberty of writing the following:

I have gone over this matter quite carefully and have discussed it with my architect, who is actively engaged in business in this city, and I should like to lay before your Commission the following facts:

Let us take the case of an existing tenement house, which is to be altered so that part of it may be used as a factory. I find that the statutes, ordinances, etc., require the filing of plans or making applications to five separate departments, as follows:

1. Tenement House Department — Plans and applications.
2. Building Department — Plans and applications.
3. Department of Labor — Plans and applications.
4. Bureau of Fire Prevention — Plans and applications.
5. Bureau of Gas, Water and Electricity — Applications.

Besides these five departments, the Board of Health and the Bureau of Highways would probably have jurisdiction in certain matters connected with the alterations.

Bear in mind that these plans and applications have to be submitted to these separate departments, whether the work involves an expenditure of \$25 or \$50,000. As I understand it, it makes absolutely no difference whether only one structural partition or support is altered or removed, or whether an expensive and elaborate and complete change is made in the building.

If, now, the various applications made to the several departments, related to separate matters, it would be bad enough, but the plans and applications which have to be submitted to the various departments, and the decisions of the departments thereon, overlap in many instances, and I have indicated in the following summary, by underscoring, the various items in connection with which the different departments overlap.

Tenement House Department

Plans and applications have to be filed in triplicate for altering present tenement house, covering: Size of rooms, *Halls, stairs, courts, shafts, stairhalls, enclosures, arrangement of W. C.'s and compartments, ventilation and light to same, arrangement of piping, traps and vent lines. Also fire escapes.*

Building Department

Plans and applications have to be filed in triplicate for altering present building.

No action will be taken by the building department until plans have been approved by the Tenement House Department.

The Building Department will act on structural and constructive alterations, *stairs, stairhall enclosures, framing of timbers and supports, boiler flues, etc. Elevator shaft enclosures and elevator machinery and cars.*

Separate plans must be filed showing arrangements of *plumbing pipes, traps, house tanks, light and ventilation for water closets, air shafts for ventilating of water closet.*

Department of Labor

Plans have to be filed in duplicate. This department passes on number of *exits, stairs, stair enclosures, fire escapes*, number of people on floor, *number of W. C.'s lighting and ventilating of*

same, retiring rooms, wash rooms. Also ventilation of factories, also elevator shaft as far as safety of passengers is concerned.

Bureau of Fire Prevention

Plans have to be filed in duplicate. Will pass or order fire lines, fire drills, *exits, stairs, stair enclosures, fire escapes*, auxiliary fire fighting apparatus, sprinklers, etc.

Bureau of Gas, Water and Electricity

Application must be made and approval obtained of all gas, water and electrical installations.

As I understand it, it frequently happens that what one department approves of, is not satisfactory to another department, and that orders from non-technical department, such as the Department of Labor, often involve structural changes, the carrying out of which would make a building unsafe, and would not be approved of by the Building Department, or, if carried out, would probably result in the confiscation of the property by reason of the fact that the property could not be used.

In a community which boasts of being as practical as New York City does it certainly seems absurd, to put it mildly, that, in a case like this for example, *stairs* should be subject to the jurisdiction:

1. Of the Tenement House Department.
2. Of the Building Department.
3. Of the Department of Labor.
4. Of the Bureau of Fire Prevention.

It seems equally absurd that *fire escapes* should be subject to the jurisdiction:

1. Of the Tenement House Department.
2. Of the Department of Labor.
3. Of the Bureau of Fire Prevention.

It seems equally absurd that *water closets* should be subject to the jurisdiction:

1. Of the Tenement House Department.
2. Of the Building Department in so far as it is necessary to file separate plans relating to the same.
3. Of the Department of Labor.

It seems equally absurd that *plumbing* should be subject to the jurisdiction:

1. Of the Tenement House Department.
2. Of the Building Department, in so far as the filing of plans relating to the same is concerned.
3. Of the Department of Labor; and in part, at all events,
4. Of the Bureau of Gas, Water and Electricity.

It seems to me that the mere recital of this condition of things shows that something should be done to remedy the difficulties which are encountered in the case I suggest. Of course, the same thing, applies in many other buildings, and in the case of smaller business buildings, occupied by a business which is in no sense a factory all this is troublesome, expensive and irritating both to the owner of the property, the architect who supervises the work, the contractor who does the work and the various department inspectors.

It is well known that it frequently happens that one department makes a thorough inspection of a building and orders certain alterations or changes, and when these have been made, another department inspects and orders others, some of them which conflict with those ordered by the first department. This again results in annoyance and expense and irritation.

I understand that the Building Department accepts the decisions of the Tenement House Department and also the decisions of the Bureau of Fire Prevention as to the number and arrangement of exits and fire escapes, but I also understand that all other departments pay not the slightest attention to the decisions of these departments or to each other's decisions.

I do not wish to be understood as in any way criticising or complaining of many of the provisions embodied in the new laws and regulations, for many of them I believe to be thoroughly practical, and when I was in the Legislature in 1901 and 190, I was a strong advocate and backer of the Tenement House Commission, which prepared the new Tenement House Law. But it does seem to me that in a city like New York, where everything is growing more and more expensive and more and more troublesome, and where the examination of buildings is becoming more and more

detailed, the requirements made of owners and tenants becoming more and more onerous, there should be some method devised by which as many as the departments as possible should be consolidated into one. This might necessitate, if limited, we will say, to cities of the first class, a substantial amendment to certain general laws like the Labor Law, at least in so far as this particular phase of their operations is concerned; but there certainly should be in New York city, at all events, a central board to which plans and applications for changes in buildings, or for the erection of new buildings, should be submitted and whose decisions should be final.

Thus, in the case I suggested of a tenement house being altered so that a part of it might be used as a factory, the person making this application should have some way of obtaining a final decision from some central authority, as to the legality — if I may use that word — of the plans and such a decision, represented by a proper certificate, should be binding until a change is made in the use of the property. Inasmuch as a building of this kind would be subject to inspection from time to time, it would be perfectly easy to have the central department ascertain whether more people were being employed than stated in or some business carried on, different from that specified in the original application, and in this way the improper use of a building could certainly not go on for any very great length of time. Incidentally, the question should not be looked at from the point of view of the regular bureaucratic system; that all persons are presumably violators of the law. It should be done just the other way.

I fully understand the difficulty of combining the several departments I have referred to above, but it seems to me that consolidation would not only facilitate the management of the business, but would considerably relieve the owners and occupants of buildings, and in the end greatly reduce the expense of these departments. All plans and applications would be at a certain office and could easily be referred to, instead of being filed in three or four different places.

For that reason I would be in favor of creating what you call, in your circular, a Department of Buildings of the City of New York, with a Board of Standards and Appeals in that Department,

and I believe that your Commission has had so much experience in this matter that, with the assistance of the heads of the various departments of this city, a scheme could easily be prepared by you to cover these various suggestions. To consolidate these departments would not only reduce the expense of operation and the expense to people who have to comply with the requirements of the departments, but it would do away with the conflict and possible jealousy between the Departments and very materially reduce the delays and interruptions incidental to the present condition of things.

Yours very sincerely,

(Signed) GHERARDI DAVIS."

RETAIL DRY GOODS ASSOCIATION, 200 Fifth Avenue, New York.

November 24, 1914.

HON. A. I. ELKUS, *Counsel to State Factory Investigating Commission, 170 Broadway, City:*

DEAR MR. ELKUS.—I regret that my throat was in such condition yesterday that it was not practicable for me to take the stand, even for a few minutes.

Had I done so I should have said, and I request that you put upon the record as an expression of the Retail Dry Goods Association, that we heartily favor the consolidation of the several departments and bureaus having to do with the construction, equipment and maintenance of buildings into a Department of Buildings in each of the boroughs of the Greater City and that the organization of the Department in each borough rest upon the Borough President.

That there be created a body to which appeals can be made from the determinations of the local building department and that such appeal body be a central organization, with members appointed from each borough.

We think the result of this would be, first, to satisfy the appellant that the merits of his case were being passed upon by a Board that was free from local influences and, second, for the reason that it would probably have a salutary effect upon the local Board to know that its conclusions were subject to review by a Board so organized.

An important part of the bill, that has not been mentioned in your proposed re-codification and which has sometimes been overlooked, should provide, in *haec verba* that existing laws, by which authority with regard to these matters now rests in the several existing departments, shall be repealed, so that there can be no question as to the jurisdiction being retained in the present Departments, in addition to the authority vested in the proposed Building Department under the act.

Very truly yours,

(Signed) E. W. BLOOMINGDALE."

At five P. M. the Commission adjourned to meet on Tuesday, November 24, 1914, at 10.30 A. M.

Dr. ABRAHAM KORN addressed the Commission.

We believe first in home rule. All the labor and factory laws should be transferred down here and be enforced by the authorities of the city of New York.

As the Industrial Board is now constituted I think they only meet about once a month.

Q. They are meeting all the time? A. I will come to that later on.

By Commissioner MCGUIRE:

Q. You believe the labor law should then be enforced through the local departments? A. Through the local departments in the city of New York.

Commissioner DRIER: You would abolish the State Department of Labor?

Dr. KORN: As far as the city of New York is concerned.

By Commissioner MCGUIRE:

Q. You mean you would enforce the provisions of the Labor Law through the building department in so far as it applies to the structural building? A. Not only that but enforce — but in so far as it applies to the employees.

By Commissioner SMITH:

Q. Now Doctor as a taxpayer and a representative of taxpayers you do not subscribe to the theory that the city of New York must continue to pay 75 per cent. of the cost of the Labor Department and then in addition to that provide on the city payroll our own inspectors to do the work they are now doing in the city — you don't subscribe to that? A. I do not think it would work out that way at all.

Q. What would become of the factory inspectors? A. The factory inspectors that were now employed?

Q. Yes? A. Those that are not required can be dismissed or they can take examinations under the Health Department if they are fit for health inspectors —

Q. That's enough, you would get rid of them; let me ask you this question: do you subscribe to the policy that the taxpayers of this city must continue to pay 75 per cent. of the cost of factory inspection in Albany, Utica, Syracuse, Rochester and Buffalo and then for our own inspection down here besides paying 100 per cent. for ourselves and 75 per cent. for theirs, do you believe in that? A. I certainly do not believe in that, and I do not think it will work out that way.

Q. Then let me ask you this question — A. Will you kindly let me finish; that is not my answer in full.

Q. It is a full answer? A. The appropriation that is now required for the number of men by the State includes the inspectors that are required down here. Now if we cut out 200, 300 or 400 inspectors, the appropriation for the State can not be the same as it is now if they want to use the money properly.

Mr. ELKUS: I do not think you get Mr. Smith's point.

Q. I am sure the doctor does not understand what I am talking about; no matter how many you cut off you leave a State Department of Labor, do you not? A. Yes, sir.

Q. Now do you subscribe to the theory that the New York taxpayer must pay 75 per cent. of the cost of that on all labor inspection and at the same time provide their own inspectors to do the work in New York city? A. Don't we pay nearly 75 per cent. and more than 75 per cent. of the running of all departments; over what the people upstate do?

Q. That is not an answer; do you subscribe to that theory? A. I certainly do not; I think that can be remedied though.

Q. What is your remedy? A. By cutting down the appropriation.

Q. That don't alter the principle of the thing; we will assume for the sake of argument that the appropriation for the Labor Department this year was \$280,000; by eliminating the city of New York we will say we save \$80,000; that leaves \$200,000 to run the Labor Department the next year; don't you know that the taxpayer of New York pays 75 per cent. still of that of \$200,000? A. He certainly does.

Q. Do you believe he ought to do that and then have us pay for own inspectors besides? A. No.

Q. That is what home rule means; we have our own health department in New York here and we pay dollar for dollar, 100 per cent. of the cost of our health department; at the same time we pay 75 per cent. of the cost to maintain the State Department of Health and that Commission has no jurisdiction inside of the city line; the same applies to the Fire Marshal; we pay 75 per cent. of the Fire Marshal's office and we maintain our own bureau of fire prevention; now I think we have gone as far as we can go, and to have the real estate men and property owners come in with the suggestion that we do that same thing with the Department of Labor seems to me the limit? A. I still think that the thing can be worked out so that New York city — it is not a question so much as the cost of running the Department as it is of convenience to the taxpayers and the people that are burdened by the laws of that Department.

Q. Well if the taxpayers are willing to pay for the convenience that is another thing. A. We are paying dear for a good many other conveniences we are supposed to get and do not get them right here in New York city so a little more or less isn't going to hurt.

By Commissioner MCGUIRE:

Q. You have heard some discussion here as to the proposed amendment to the constitution, giving additional power of discretion to the Industrial Board; perhaps you would be in favor of an amendment to the constitution looking to New York paying

its own way and only its own way? A. Only its own way, certainly I would.

Q. Do you think that would be a solution of it? A. That part I have not given proper thought to.

Q. I only mention that in the line of constitutional amendments? A. If I had my way about it I would have a separate state of New York city; we would get along better and save much money.

Mr. SMITH: You can be sure I will agree with that if you can bring it around.

Dr. KORN: That I think would be the best solution of it, that we have a state of the city of New York, and we will be able to take care of our business itself and pay our own expenses.

Mr. ELKUS: Do you think the rest of the State would let us go?

Hon. JOHN J. MURPHY (Commissioner Tenement House Department), addressed the Commission:

By Mr. ELKUS:

Q. You are the Commissioner of the Tenement House Department and have been for a number of years? A. Yes, sir.

Q. I don't know whether you have been told of some of the testimony of yesterday. A. Yes, sir.

Q. We should be very glad to hear from you about these matters? A. Make a general statement?

Q. Anything you like, Commissioner? A. That discussion was on the bill proposing to consolidate the different departments which have relations to buildings under a single head?

Q. Yes, sir? A. Now I think when I appeared at the hearing before this Committee before I expressed rather fully my views. I said then and I say now that I think the function of supervising the tenement houses in the city of New York is so very large, involving the supervision of one-third of all the buildings in the city of New York, that it requires the special attention of a particular department created for that purpose. The department was created in 1901 with the very idea which you gentlemen have in mind at this time. Up to that time the functions which

it exercises were divided among four departments and it was found impossible to fix responsibility for the general neglect — I think I am not putting too harsh a word on it — of the provisions of the law as they existed previous to 1900. The purpose then as evidenced by the law was to concentrate in a single department all responsibility for the construction, alteration and maintenance of houses occupied by three or more families. The only function in connection with that which was omitted — and that I presume was out of deference to an existing condition, was that the standards of construction should be determined by the Bureau of Buildings in the different boroughs. Therefore plans were examined by the Bureau of Buildings in regard to the strength of structures and plans and specifications of the structure and material employed had to be filed with the Bureau of Buildings in the borough and examined there for those things but for other things by the Tenement House Department. The things for which we examine the plans are light, ventilation, fireproof qualities of certain of the features of construction and adequate means of egress in case of fire. Now I understand that this whole inquiry was started for the purpose of avoiding duplication of inspection and consequent conflict of orders. Since the matter was started I have made a careful investigation to ascertain whether in tenement houses, either generally or in such numbers as to justify complaint — there has been duplication of inspection and consequent conflict. I have asked this in publications like the Record and Guide and the Brooklyn Eagle, which has taken much interest in this investigation, for specific illustrations of hardship inflicted upon owners by such duplication of inspection and such conflict. I may say that I have not received five replies to my request. I think therefore I am well within the truth in saying that in so far as inspection of old buildings is concerned there is no conflict. As to the Health Department — as soon as a building is declared to be occupied by three families — although such occupancy may make it an illegal tenement, the Health Department ceases to take any action in the matter. By the provision in the law itself, when the Bureau of Fire Prevention was created, it was declared that it had no function to exercise in relation to tenement houses. That clause "except tenement houses" was added in the fire

prevention law wherever it seemed that the functions of the Bureau of Fire Prevention might bring it into tenement houses. So that, so far as inspection of old buildings is concerned, there is nothing at the present time in the way of duplication, and consequently there can be nothing in the way of conflict of orders.

Q. Commissioner, if I may interrupt you, it was stated here yesterday there was no reason why in passing upon plans the Bureau of Buildings could not pass upon the plans of a tenement house, that is, the same inspector, the same clerk who examines for strength and material in a building plan why he could not examine for light and ventilation, and that it was a hardship upon the owner or builder to require him to have his plans approved by two departments; I want to call your attention to that? A. That is a question that I have considered. The answer to that is that the work of examining plans for the requirements of the Tenement House Law has become highly specialized. I do not hesitate to say that if the Bureau of Buildings undertook to do what we are now doing it would simply mean the transfer of that division of the Tenement House Department which is engaged in criticizing these plans to the Bureau of Buildings.

Q. Wouldn't that be better if you had to do it because it would then require only that department to examine the building? A. The answer to that proposition is this, that the housing question and the building question are different. One is a material proposition and the other is, I might say, sociological. To ask us to take care, for instance, of buildings that are turned over to us, in the construction of which we had no say, and turned over to us by different authorities in different boroughs, these authorities taking entirely different views of the importance and meaning of the Tenement House Law, would, I think, be to establish different standards all over the city. We want to remember that in this case we have a statute law which ought to operate for the same class of buildings similarly in all sections of the city and I do not think we would get that under the divided control which it would then have. I have stated that I do not think any economy would be found in this case except in one general respect — that I am willing to admit — that if perhaps a single set of plans could be filed it might be an economy to that extent to the architect or owner. As a matter of time, however, we are on the nineteenth

floor of the Municipal Building. The Bureau of Buildings is on the twentieth floor.

Q. How about the other boroughs? A. In the other boroughs there are more differences in distance but not frequently great. I think in Brooklyn they are perhaps five blocks apart.

Q. The complaint is that it took a great deal of time in the interval between the approval of the plan by the two departments, there elapsed a good deal of time, and the builders said yesterday they had to pay interest on their loans? A. I think that is an important question. I would want to have some information on the question as to how much shortening there would be. We have made it a point, and I think it is generally true, that a plan does not remain with us more than a week without being definitely acted upon.

Q. Now you inspect both before the building is erected and while it is in course of erection? A. Yes.

Q. And after it is finished before you grant a certificate? A. Yes.

Q. You have inspectors inspecting the building? A. Yes.

Q. And the Building Department also has inspectors? A. Yes, sir.

Q. The claim was that that was a duplication in this respect, that the one inspector for either the Building Department or the Tenement House Department could inspect for both purposes? A. My answer would be as to the question of economy on that ground that I think every bureau in the city has asked for additional inspectors every year.

Q. That is a kind of chronic habit? A. If they have not enough now to do the work how can they say that the men they have on the job would be sufficient to handle it if their functions were increased?

Q. I do not think that is quite the criticism; the point is this, that there are two inspectors that go there for practically the same kind of work, whereas one would do? A. But they do it now, they go for plastering, they go for masonry and bricklaying, they go for electric lighting; in other words, the Bureau of Buildings itself sends three different inspectors on the same building.

Q. Is that necessary? A. I am not defending the situation; I am only describing it.

Q. Isn't it a fact that every construction firm in the city uses one man to inspect for all of that kind of work? A. Yes, but I think they pay him more than \$1,200 a year.

Q. But wouldn't it be cheaper to have one man at "\$2,500 than four at \$1,200"? A. I am not sure that it would for the reason that in our work — I am not speaking of the kind of inspection necessary for high class factories or office buildings — but for the kind of inspection necessary in our department it would be enough to have the character of intelligence we now employ. For instance, we have only four building inspectors taking care of the entire work in the borough of Manhattan. We have eleven, I think, taking care of the work in Brooklyn. There it is a question largely of the distribution of the work so that the number of men actually engaged on this work is relatively small. You want to remember, Mr. Elkus, that somewhat less than one-eighth of our appropriation is employed in the inspection of new buildings.

Q. Wouldn't it be practical Commissioner to transfer to the Building Department the work which your department now does with reference to the construction of new buildings and the structural changes in old buildings, leaving to your department the problem of the taking care of the maintenance and the housing of the people? A. Of course it may be done.

Q. Is that the main function of your department? A. The only thing that I think we would lose is the value of this specialized group of workers that has been built up with the idea of covering this particular thing. As I say, it is physically possible but it has a tendency to return to the old condition before the law.

Q. Of course as it is now every first class apartment house has to have your certificate before it can take tenants? A. Yes, sir. I feel and have felt for a long time that the city would do well to progress a little rather than retrograde, that is to say, other States throughout the Union are making two families in a house the standard of tenement occupation and they are regulating the housing of all kinds. It therefore seems to me that the more natural line of division, if you are going to have it, is the factory and office buildings, and residence buildings — that the functions to be exercised in these two things are of enough difference to make it desirable that the difference should be recognized.

Q. Yesterday the claim was made by some witnesses that your inspectors in your department were not practical; you heard that didn't you? A. Yes. I might say I believe I heard the same statement from Mr. Carlin in Brooklyn some time ago, as the result of a controversy that came up between our departments, and I found that of 228 inspectors 149 had been engaged in mechanical occupations of one kind or another before they came into the Tenement House Department and became tenement house inspectors.

Q. Now is there anything further Commissioner? A. I think that the question involved in the inspection of alterations is that they would practically have to be ordered by us in order that the working of the Tenement House Law may be effected. It had better remain pretty much as it is because there is bound to be a determination by us later on as to whether these alterations conform to the Tenement House Law or not. I think you can take it today that in every profession, in your distinguished profession, men are going more and more into specialization. You won't attempt to advise a client on a certain class of cases, because they are matters with which you are not familiar; you send him to somebody else. Now in the ten years the Tenement House Department has been going on we have built up a group of men who have specialized on this class of work and I do not believe it will be possible for a building inspector inside of a year to acquire the information which the ordinary inspector in the Tenement House Department has acquired as a result of his nine or ten years of work. Just before I came up here I heard you referring to the question of fires in old law buildings. I would like to make a comment on that. You do not have to go back in point of time. You can take yesterday. There was a fire in an old law house. They are a continuous danger. We have eighty odd thousand of those old law houses. It is necessary that they be permitted to continue to be occupied because there are no accommodation for the people anywhere else, yet the structural conditions in many of those, the stairways, are highly inflammable, and it is because of the constant and persistent eye that we have to keep upon those things that the special work of ours is so necessary.

Q. You have had no loss of life in a new law tenement? A.

We have had no loss of life due to conflagration. I like to have the word conflagration put in for the reason that you will have statistics upon the loss of life in tenement houses, children playing with matches or someone's clothes, catching fire from a gas stove; the buildings may burn, that may happen, but we have had no loss of life due to conflagration in the 24,000 tenements erected under the new law.

By Dr. KOEN:

Q. Did you know of any old law tenement house buildings where there have been lives lost where there has been insufficient or inadequate fire escapes? A. In almost five years I have been in office I have known of one case in which loss of life could be regarded as due to the inadequate means of fire escapes. That was where between one inspection and another an apartment had been divided in two. You refer to a building on Monroe street. In that building there were three fire escapes and it was a corner building, a fire escape on one street, one on another and a fire escape in the court and the loss was due apparently to the people being suffocated while asleep and therefore unable to make their way out of the building.

Mr. JOSEPH O. HAMMITT (Chief of the Fire Prevention Bureau) addressed the Commission:

By Mr. ELKUS:

Q. Mr. Hammitt you are at the head of the Bureau of Fire Prevention of the Fire Department? A. Yes, sir.

Q. Chief of the Bureau I think it is called? A. Yes, sir.

Q. And you have been since the first of this year? A. Since I believe the 26th of January.

Q. You are familiar with the testimony which was given yesterday with reference to your department? A. Only from hearsay. I did not hear the testimony. I know roughly that there was some testimony which possibly created some slight confusion as to precisely what is the function of the fire prevention bureau as to its responsibility for the protection of life and its responsibility for the protection of property.

Q. Yes, it was stated yesterday by one of the witnesses, that the

function of your department generally, was to protect property and not life? A. The fact is that the function of the Bureau of Fire Prevention is primarily the protection of human life. The purpose of fire prevention is the same as the purpose of fire extinguishment. It is primarily the protection of human life. It is secondarily the protection of property. It is not possible to fully state the purposes of fire prevention or fire extinguishment without including both of those.

Q. It was stated yesterday that the sprinkler systems which your department is ordering into many buildings were ordered for the purpose either of affecting a saving in insurance or to protect property but not to protect life? A. The purpose of the installation of the sprinkler equipment as ordered by the Fire Department is for the purpose of all of the work of the Bureau of Fire Prevention — primarily, the preservation of human life. There are certain classes of buildings in which in case a fire starts there would be absolutely no method what ever by which water could be introduced into the building by the firemen for the purpose of extinguishing the fire. Especially if such risks expose neighboring property in which there is a considerable human occupancy and endanger a conflagration in the city, which if it ever got well beyond the control of the fire department would unquestionably exceed the catastrophe of the Baltimore Fire or the San Francisco Fire, it becomes necessary for the fire department to acquire some means whereby in case a fire starts it may be extinguished. It is also true that there are some buildings in which under normal conditions there may not be more than three or four occupants on a floor and yet under fire conditions there may be 25 firemen on the same floor. It is a somewhat difficult thing to bring to the attention of legislative bodies, but it is nevertheless a fact that firemen are workers as well as those who are employed in factories and that while the city demands of firemen that they make all necessary sacrifices and encounter unpreventable hazards in preserving the city against conflagration, it is considered quite within reason that where it is possible to create a condition where a fire can be put out without sacrificing the lives of the firemen that condition should be created rather than preserving a condition where the fire can not possibly be put out without the cost of lives of men.

I can not remember any building in which a sprinkler equipment has been ordered by the fire department where the purposes of the order would not be generally in line with the various purposes that I have stated. If I had a description of any building in which the sprinkler system had been ordered as to its construction and its contents and its occupancy I could explain precisely the basis for that order and would be very glad to do that for the information of the Commission in one or one hundred or any number of cases that were presented and to do it carefully and thoroughly and in writing.

Q. Reference was made here to the Cable Building; are you familiar with that? A. I do not believe that I am by that name.

Q. The building at the corner of Broadway and Houston street? A. Broadway and Houston street — what is the occupancy?

Commissioner McGUIRE: Part office and part factory.

Mr. HAMMITT: That is a building regarding which there was an old order from the Fire Department for a sprinkler equipment. The question was raised as to whether the requirement of sprinkler equipment in that building was reasonable. At the suggestion of the special corporation counsel assigned to the Fire Department in order that a decision might be made that would be satisfactory to the owners of the building and so well considered that the Fire Department would be justified in depending upon it, the question of whether that order should be sustained was submitted to an informal board of survey on which there was no officer of the fire department as there is generally on a Board of Survey. I believe that a member of your commission served on that Board of Survey. I do not believe the decision has yet been reached.

Commissioner McGUIRE: It has.

Mr. HAMMITT: What was the decision?

Commissioner McGUIRE: The order was reasonable but if certain other requirements were complied with the fire commissioner was justified in rescinding his sprinkler order. I served as a member of that Board of Survey on that building and made a report to the fire department. That matter was testified to here yesterday I believe by Mr. Doyle.

Mr. ELKUS: He did not tell us anything about the survey?

Commissioner McGUIRE: But that I believe Mr. Hammit will tell you is rather a new way of arriving at the solution isn't it?

Mr. HAMMITT: It is.

Commissioner McGUIRE: And has it proven satisfactory so far as it has been carried out?

Mr. HAMMITT: It has. Ordinarily a Board of Survey as provided for under the law consists of one member appointed by the owner of the building, another member who is an officer of the fire department and is appointed by the Fire Commissioner, and a third who is selected by the Fire Commissioner from one of several lists submitted by several different societies. Now the dissatisfaction that we have had with that kind of a Board of Survey has been that there is a natural inclination on the part of the owner first to assume that his representative is his advocate and not a judicial surveyor. A natural attitude on the part of the officer of the fire department to assume that the representative of the owner is not going to be fair and the thing resolves itself frequently into a decision by one member of the Board of Survey as between the absolutely uncompromising and conflicting views of the two other members and if the law does not work it out for us we are going to endeavor so far as we can, with the co-operation of representative organizations of property owners, to work out some method by which we can submit these questions to a more satisfactory and more impartial board of review.

By Mr. ELKUS:

Q. Mr. Hammitt some statements have been made that the attention of your bureau has been called to conditions in buildings by outsiders whose interest in the matter was ulterior? A. I think that is unquestionably true and it is the very reason why it seems to me essential for us to get away as quickly as possible from the policy of making most of our inspections upon complaint. It arises in a great many different ways. A tenant recently attempted to break his lease in a building in Brooklyn. He was sued by the landlord and a judgment recovered against him for damages for the breach of the lease. It is represented to me and

I believe it to be a fact, that he thereupon informed the owner of that building, in which there was a private school, that he would communicate with the fire department and have orders placed on that building and "get even,"—a question of vindictiveness. He did communicate with the fire department. The fire department made inspection and issued orders. The problem relating to that building was a rather peculiar problem and the matter was given a considerable amount of attention by the Bureau of Fire Prevention with a view to working out some method of changing the design of that building at the least possible expense so that it would provide adequate facilities for the occupants of this private school. There was involved by that process several months of delay before the orders were all complied with, and regularly every month letters came from this same complainant—they not only came to the Fire Commissioner but they came to the Mayor's office complaining of the inactivity of the fire department. They were transmitted by the Mayor's office regularly to the Fire Commissioner and also with reference to the fact that this was not the first time the matter was called to our attention. Inspection upon complaints results in a great deal of inequality in the administration of the law because the building against which a complaint has been received gets first attention. Orders are issued and the owner is required to make changes which, while they may render the building safer, may not increase its renting value, and right next door or across the way is another building competing for the same class of tenants, quite as unsafe as was the building regarding which the complaint was received, but not yet reached because the fire department has been inspecting only on complaints. In order to meet that situation we decided, with 13,000 complaints pending and uninspected in February and increasing at the rate of five hundred to six hundred complaints a month, that we must clean up that complaint file by the quickest possible method. We therefore instructed our inspectors: "When you go to inspect a complaint your duty is to inspect only for the matter complained of, and when you have finished that, leave that building and go to the next one where you have a complaint to inspect." By that process we expect fully that by the first of the year we will have completely cleaned up our complaint file and

thereafter the matter of dealing with complaints will be but a small part of the work of the Bureau of Fire Prevention and we can take the most hazardous classes of occupancies first and the buildings requiring the greatest amount of immediate attention and inspect every one of them in the city before we are through with that one class of work, so that there is an even handed method of dealing with the matter. But this very policy that we have adopted of cleaning up the complaint file has resulted in duplication of inspections necessarily because if we receive another complaint two months later regarding the same building another visit is made and this is also limited to the particular matter complained of.

Q. Is it a fact that your attention to defects in buildings is called by contractors who want to do the work? A. I do not believe that that is true to any considerable extent. I have made a study of the complaint file and I have traced the inspiration for a large number of complaints, particularly I have traced the inspiration of certain complaints that come in in very large numbers from virtually the same source but I have not found very much evidence that the contractors desirous of getting the work make complaints.

Q. It has been called to the attention of the Commission that very frequently a contractor notifies the owner that the work is going to be required to be done before the owner hears of it from the department; can you account for that? A. That might arise from a number of causes other than the sending of a complaint to the department. For example the Labor Law specifically requires in every factory building more than two stories in height and with more than twenty-five persons employed above the first story the installation of an interior fire alarm. It also provides that where there are 200 employed above the seventh story a sprinkler system must be installed, and with that kind of law a contractor might follow it up—

Q. It is also called to our attention that simultaneously with the receipt of a complaint a contractor appears and wants the work; is there any way by which that knowledge can be obtained? A. There is one way by which everyone can obtain knowledge, due to the publication of the orders of the fire department in the

City Record weekly. That publication however does not precede the service of the order and could not explain the contractors appearing at the same time that the order has been issued. Now I can not say that there are not leaks in the Bureau of Fire Prevention. It would give me a great deal of satisfaction if any who have information of particular cases in which the contractor has appeared as soon as the order was issued would immediately let me know because if I have that information promptly it seems to me quite possible that I might be able to trace the leak. It would be a very important matter to trace the leak. It was in order to avoid any possibility of particular contractors having as you might say an inside track in the fire department that we decided on publishing all of these orders in the City Record and also upon preventing or discontinuing the practice of sending them to various newspapers, trade publications, that had been receiving them prior to that time.

Q. Is there anything further Mr. Hammitt that you would like to say? A. No, sir.

Mr. ELKUS: Anyone else desire to be heard?

Commissioner JACKSON: For the purpose of the record and in answer to Mr. Goldberg's criticism yesterday of the action of the Labor Department regarding the premises at 15-17 East 17th street the buildings were inspected April 23d and orders issued in both buildings for additional means of exit. In the fireproof building it was withheld in the office for the reason that the Industrial Board had not provided the department with specifications for fire resisting materials, therefore the stairway could not be erected until such information was forthcoming. This accounts for the withholding of the order. They did not order the stairway because they could not approve the specifications necessary to construct the stairway.

Mr. ELKUS: No one else desires to be heard Mr. Chairman.

The Commission thereupon adjourned until Tuesday, December 1, 1914, at 10:30 A. M.

**HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATING COMMISSION, HELD IN
ROOM OF TRIAL TERM, PART XVII, OF
THE SUPREME COURT, COUNTY
COURT HOUSE, NEW YORK
CITY, TUESDAY, DECEMBER
1, 1914, AT
10.30 A. M.**

Present — HON. ROBERT F. WAGNER, *Chairman*,
HON. CYRUS W. PHILLIPS,
HON. LAURENCE M. D. MCGUIRE,
MISS MARY E. DREIER.

Appearances:

HON. ABRAHAM I. ELKUS, *Chief Counsel*.

BERNARD L. SHIENTAG, *Associate Counsel*.

Mr. ELKUS: The hearings to-day and to-morrow are to be mainly devoted to the presentation by the Director of Investigation and his assistants of the facts as to wages and working conditions which have been found by the Commission's staff of investigators during the greater part of two years' work.

This is an unusual plan of procedure. Usually the investigating commissions present the facts which they have found directly to the Legislature for such discussion and action as then may seem proper. In this case the Commission is presenting its findings to the public for discussion, and, if necessary, for amendment.

During the two years of work of the Commission upon this subject over 150,000 records of individuals (men, women and children) as to wages and other facts of their lives have been obtained, and a synopsis of these will be presented by Dr. Woolston and his assistants.

The substance of Dr. Woolston's report — Dr. Woolston is the Director of Investigation — will be presented to the Commission and to the public and will be available for discussion by all per-

sons who are interested in the matter at future hearings of the Commission, the dates of which will be fixed later. This will enable those discussing the question of minimum wage to have before them concrete facts or evidence upon the subject of wages received in the various occupations which are directly concerned by the investigation.

The Director of Investigation on the minimum wage will present the methods of obtaining information, the trades and numbers of people reached and the result of the investigation, showing the facts of wages earned, etc.

The first witness will be Dr. Howard B. Woolston, Director of Wage Investigation.

Dr. HOWARD B. WOOLSTON, addressed the Commission.

By Mr. ELKUS:

Q. Dr. Woolston you have been the Director of Investigation for the Commission since when? A. Since the 18th of August, 1913.

Q. And you have had under your charge the investigation of what is known as the minimum wage question? A. Yes.

Q. Now will you go ahead and tell what you did in your own way and take just as long as you like, stating what facts you have obtained. I might say by way of introduction that your report is already in type, isn't it? A. Most of it I believe.

I should like to state very briefly and simply five things: First, the plan and scope of the work as undertaken by the Commission. Secondly, the character of the workers found. Thirdly, what these workers get. Fourthly, what they need. Fifthly, what business can afford.

Q. May I interrupt you a moment? I think we would like to have on the record your history and your qualifications for this work. I wish you would give us a little biography. A. I am a graduate of Yale, Harvard, Chicago and Columbia. I have been a social worker in Boston, New York and Cleveland. I have been a lecturer in the Chicago School of Civics, in Western Reserve University and for the last four years in the College of the City of New York.

Q. And you have made a study of economic questions? A. That has been my subject — economics and sociology.

Q. What was your position in the City College? A. Assistant professor of Political Science.

Q. And you have been there for how many years? A. Since 1909.

Q. You obtained a leave of absence from the college to take up this work? A. Yes.

I think it would show the connection of the wage investigation with the general work of the commission if you were reminded of how the Commission came to be. You all recollect the horrible loss of life in the Triangle Fire of March, 1911. That aroused the people of New York State as very few things have done, to have some provision made for the safety of the workers. The Factory Commission was the result of that demand.

For the first year or two of its life the Commission investigated conditions of safety in the factories. It soon found that there were other things besides the fire hazard that menace the lives and welfare of the people. It found that unguarded machinery, that improper ventilation, that dust and vapor have an effect on people's lives. It also found that while a great many people are killed outright that some of them are worn out. This is particularly true of women and children. So the Commission regarded as part of its work the study of the hours of female and minor employees in factories, and secured the reduction of those hours.

But it seemed to many people impossible to secure the lives and health of the people even though model factory conditions were secured. Suppose a man does work in a model factory. If he can not support his family on what he earns, that is the end of the man or his family. It seems rather futile to protect a young girl against the dangers of overtime, if she can not live decently on the wages she is going to receive. And so to the Commission was given the task of investigating the wages as well as the conditions of work in all occupations in the State of New York. For this purpose it was given the right to subpoena witnesses and to examine all books and papers pertaining to this investigation.

Now as to the plan of the Commission. I was instructed in my first interview with the counsel to make the investigation as scien-

tific, as impartial, as thorough-going as possible. The Commission first wished to know what the facts are; to discover the conditions underlying these facts; and then, and only then, to propose any fair or adequate methods for improvement that might naturally grow out of a study of these conditions.

The first thing, therefore, was to find out what should be the scope of such an investigation. It seemed to us to fall in the main into three parts:

First, what wages are actually paid in typical industries throughout the state, so that we might know what people receive.

Second, are these wages sufficient to maintain employees in simple decency and working condition?

Third, are the industries able to increase wages on the basis of the earning capacity of labor?

Those were the three things that we attempted to discover.

Obviously we could not study all the industries in the state of New York with the time and money at our disposal. Consequently we were directed to select certain industries which are typical. For this purpose we took Bulletin 93 of the Federal Census, showing the earnings of people in various industries throughout the country. From this Bulletin we found that certain industries, notably canning, the making of shirts, paper boxes, confectionery, silk and knit goods were far below the average of the state.

Now inasmuch as the Commission had already reported on the canning industry, the Department of Labor was contemplating the investigation of the knit goods industry, and also because the Federal authorities had investigated the silk industry, we confined ourselves to the paper box, confectionery and shirt-making lines. The Factory Commission had also previously decided to investigate further retail stores (the department stores as they are generally called) because it had found in them a large number of women and children employed at low wages. Public attention had been turned to the matter of wages in stores from the hearings in Illinois, and because of some discussion on the report of the Civic Federation. Therefore, the retail stores were added to the list.

Q. That is the retail stores of New York State? A. In New York State. These investigations, all of them, covered the entire

State. Miss Van Kleeck of the Russell Sage Foundation had been studying the millinery trade, and with the co-operation of the Commission, was good enough to carry her investigation further into the wages of the trade.

Mr. Roswell Skeel made a special study of the button industry. This is the field of our work.

Now what were the methods employed? What were the sources to which we applied? First, for discovering wages and hours of labor there is no place to go except to the payrolls. That is the official source of the information. Secondly, for general information as to the condition of the trade, the efficiency of labor, seasons, etc., there is no other source but the employer who knows the business. And to him we went. Third, as the matter of trade experience, domestic conditions and age, there is no other source of information but the employees. So to them we went for these facts.

The schedules were worked out by the Assistant Director with the assistance of the authorities at Washington, and such hints as we could get elsewhere. I have a complete set of them if they are desired.

Q. Will you at some time tell us how your staff was selected?

A. I am about to come to that. Special studies were also made on the standard of living by Professor Frank H. Streightoff of Depau University; on wages and training by Mr. Wilson of the Department of Education; on the irregularity of employment and wage legislation throughout the world by Mrs. Irene Osgood Andrews of the American Association for Labor Legislation.

Having planned out the work, the next matter, as counsel suggests, was to select the staff. Out of 160 applicants some forty persons were selected by merit, mostly young college graduates or persons who had worked in similar investigations in other states. The investigation of the clothing industry at that time just ceasing, we were enabled to get many of these investigators on our staff. We must also include the advice and assistance of various welfare and aid societies, notably the Consumers League, trade societies, the charity organizations, and other societies, as well as the State Department of Labor, the Department of Finance and the Department of Insurance. The State Department of Labor loaned us four of their expert investigators.

The time selected for this investigation was in the fall, winter of 1913 and early spring of 1914. Our purpose was to strike the industries when they were busiest, when the payrolls had the most names, when we could find out most about the people who worked in the industries. In New York City the work was carried on during the early winter of 1913. We were then delayed and were not able to finish in the up-State cities until May and June of 1914. In this investigation all the important centers in the lines that we studied were covered, all the first and second class cities and twenty third-class cities and villages. We covered in all nearly 580 establishments. Five hundred and seventy-seven precisely were scheduled, and over 104,000 employees in these establishments. Therefore I think the statistical base of the investigation is broad enough to warrant pretty definite statements.

Now as to the attitude of the manufacturers and employers regarding this investigation a word or two may be said. In general they received us in a kindly manner. I can not say they were overjoyed to see us appear for another investigation in their busy season, but in the main they were courteous and considerate.

The retail merchants had promised their assistance from the beginning. In the fall of 1913 union agitation becoming rather evident, they decided it would not be good policy to have the names and addresses of their employees given for fear these might somehow fall into the hands of unionizers. Although it is very much more difficult to identify persons by numbers than by names where a shifting force is concerned, this concession was made to the merchants rather than antagonize them.

As to the attitude of employees, they were in general very willing to give us what we asked of them. Several of the women objected to stating their ages at first, and some of the people were uncertain as to the details of their personal expenditures. The information was given, however, and usually, as soon as the persons understood what the purpose was, they were very glad to supply us with the facts. It was extremely difficult in some cases to get information as to overtime and fines, because some of the interviews were carried on in the presence of the firm. Again, the retail merchants insisted upon this method in New York, and

also the same attitude was adopted in Buffalo. With these exceptions the investigators were very satisfactorily received.

Now this information was tabulated first by firms, then by classes of establishments, then for each locality and finally for the whole industry throughout the state. For each establishment we tabulated rates and earnings for each sex according to their occupation, age, experience, conjugal conditions, and nativity. We also studied the days and hours of work, the weeks worked per year, and the annual earnings where they could be discovered. For each trade we tried to find the seasonal fluctuations, the fines and the commissions that were received, the piece rates, the home work, and for all the workers, the character of their residence, their family relations and income.

I have spent time trying to outline the investigation in order that you may understand what we attempted to do and how we started out to do it. Now what kind of people did we find in the trade? In the main they were young men and girls. Three-fifths for whom I have returns were females. The proportion varies in different trades, from 59 per cent. in the stores to 77 per cent. in the shirt making industry. This has an important effect upon wages, women being paid generally less than men.

In the next place, as to their age, we found that over 60 per cent. were adults, about one-third between 16 and 20, and 4 per cent. were children, that is under the age of 16. These proportions vary in the different occupations. For example, whereas two-thirds of the employees in the stores are adults, one-half of all in the box making trade are minors. The matter of the age of the persons is another important factor with regard to wages because that affects their rate of earnings.

Next as to the nativity of the persons. We found that about 30 per cent. of all were foreigners. Again the proportion varies in the trades. In the shirt and candy making industries, especially in New York city, about one-half are foreigners. In the stores the small proportion of foreigners are mostly English speaking persons; but in the industrial lines, in candy for instance we find the Italians composing over one-third of the employees, and in paper boxes the Russians constitute about 16 per cent. This is another important fact with regard to wages, because as a general

thing the foreigners enter the least skilled lines and are paid accordingly. We find also that the majority of foreigners are older than the natives. That is there are comparatively few foreign born children. We also found the proportion of foreigners living in New York City much greater than the up-State cities.

In the last place, regarding the conjugal conditions of these people, we found that nearly three-fourths of them were single persons, about one-fifth married, and about five per cent. were widowed or divorced. Of course these proportions vary between the sexes. Eighty-six per cent. of the women were unmarried, largely because of their younger age. Nearly half of the men were married. Please bear this in mind in discussing wages. Six per cent. of all the female employees are widows or divorced. So much as to the personnel, the kind of people we found. They were young people, mostly women, with a large proportion of foreigners and the majority single persons.

Now then what did these people get? Of 91,000 persons for whom we have returns by rates, 11 per cent. ordinarily received — I am now quoting rates — ordinarily received less than five dollars a week.

Q. Doctor do you mind if I interrupt you? A. Please do, Mr. Elkus.

Q. I would like to get for the record whether any other commission which you know of, and I know you have studied the subject, has ever gone into the facts as you have done for this commission, obtained these exact facts? A. I think many commissions have obtained much the same facts, Mr. Elkus, but I do not believe any commission has obtained so many facts.

Q. Or taken so many people? A. No, of that I am sure.

Q. Go right on? A. It has been suggested that the distinction between rates and actual earnings, which will later be quoted, ought to be made absolutely clear. The rate is the amount that is fixed for a person, which he may hope to earn if he works steadily or completes the allotted task within the period for which the rate applies, say seven dollars a week. That is if one works six days a week and for the full time. I am now quoting rates.

Q. And no deductions? A. And no deductions. I said that 11 per cent. of all the persons for whom we had returns on rates

received less than five dollars. Forty-seven per cent. received from five to ten dollars, while 24 per cent. received from ten to fifteen dollars, and only 18 per cent. received as much as fifteen dollars or over.

These proportions vary in different lines. For example in the stores, one-half of all the male employees are quoted at rates less than fourteen dollars per week. One-half of all the females in the stores throughout the State are quoted at rates of less than seven and one-half dollars a week. In shirts and paper boxes one-half of all the male employees are quoted at rates under twelve dollars a week and one-half of all the females employed at rates less than six dollars and a half a week. In the candy trade one-half of all the males are quoted at rates under ten dollars a week and one-half of all the females at rates less than six dollars a week.

Naturally these rates vary with occupations. They include all kinds of workers. They vary from the salesmen who will range from twelve to twenty dollars, and the cutters and candy makers who range from twelve to eighteen dollars, to the little messenger girl who ordinarily gets say \$3.50 to \$5.00, or the helpers in the candy factories who get from \$4.50 to \$6.50. In the main, the range in men's wages that we have been studying are those between \$10 and \$15, and for the women those between \$5 and \$10. These are the general levels that we have been discussing.

Of course there are greater variations in the rates paid. I need not tell you they vary with localities. The rates are both higher and lower in New York City than up-State. That is, there are more people that get the very high rates here, and more people who get the very low rates in New York City. Moreover, in different kinds of stores there is a variation. In the large department stores 53 per cent. of the female employees get less than \$8 a week. In the smaller neighborhood stores, as we call them, 68 per cent. of the women and girls get less than \$8 a week, while in the five and ten cent stores 99 per cent. of them get less than \$8 a week. This may serve to indicate the basis and variations in rates.

Let us now consider the matter of age, for at once it will be said these people are paid low because they are young and experienced. We have figures with regard to the age and rate of

wages. I have said that the majority are young people. There is a very rapid dropping out after the age of thirty for women and after the age of forty for men. The majority of women in any five-year age group reach the \$8 level only after thirty years. The majority of men reach the \$15 dollar level after thirty-five years of age. I am now using medians. Though one-half in any age group may surpass these rates, one-half will fall below. There is a great difference in age between the different lines and different occupations. For instance, in the stores the average man reaches his maximum of \$16 at forty years of age and the woman her maximum of \$10 at thirty-five years of age. In the shirt and box industries the average man reaches his maximum of \$15 at thirty-five or forty years and the average woman her maximum of \$9 at thirty years of age. In the candy trade the highest rate by age for men is that of \$12 at forty years. For women \$7 at thirty years.

Q. Why didn't you take average wages? A. I will tell you if you are interested in this statistical detail. I will give you an example. The average wages of saleswomen in the large department stores is about \$9.34, according to our returns. But the largest number of women actually received \$7 — about 18 per cent. of all if I recollect correctly. Now between the rate which most of them received and the average is a variation of 33 per cent. I have used what is called the median. That is, if you were to take all the people in this room and line them up along the wall according to height, and pick out the one that was half way from both ends, the height of that person would be the median height of those in this room. That is this person is the farthest from both extremes. In the industries where we have a large number of high paid people and a very large number of low paid people this median falls between the high average and this low mode, as it is called.

Br. Mr. BLOOMINGDALE:

Q. Then when you speak of the maximum you mean the median? A. I mean the median.

Q. You used the word "maximum" as if that were the extreme limit? A. No.

By Mr. ELKUS:

Q. May I ask you why from a statistical standpoint it isn't fair to take the average rate of wages? A. Well suppose you had a foreman who received \$100 a week and a number of workmen who received \$10 a week. Suppose you had ten working men. There would be \$100 for the working men and \$100 for the foreman. Divided by eleven it would give you a wage that nobody received actually — much less than the foreman, much higher than the low paid workmen received.

Q. Give you \$20 a week? A. Something like that, about twice what the workmen get. We have used distribution tables in our published report.

Q. So that an average wage, any statistics or any argument based on an average wage is statistically incorrect? A. It is apt to be misleading. I wouldn't say it is incorrect. There are many kinds of averages. Most people know only one — the arithmetical average. There are many known to statisticians. The thing to do is to get the fairest representative figure, the one that shows best what the central tendency is.

Now I have quoted the median rate at each age and showed where it was highest. We found three thousand adult women in the stores quoted at rates under \$6.

Q. Three thousand out of how many? A. In all the stores there were about seventy thousand persons, two-fifths of whom were adult females — say, thirty thousand women. We found about two thousand four hundred women in the shirt trade quoted at rates under \$6. We found in the candy trade that the median rates for adult men are under \$11 and for adult women less than \$6.50.

Q. That is a week? A. A week. Now these are rates —

Commissioner DREIER: Is that the median rate.

Dr. WOOLSTON: Yes. They vary up and down. We found people getting less than \$3 a week.

Q. I didn't quite hear that. A. We found people getting less than \$3 a week. We also found buyers in department stores getting more than \$10,000 a year. Neither is typical.

These rates are what people are supposed to get. What do they

actually get? What are their actual earnings? Without boring you with any more figures than I can help, let me say that the actual earnings are below the rates in most lines, especially in the low levels of payment. Because of loss of time, because the workers could not complete the task, they fall below the rate. Although this is made up in certain cases by premiums and by commissions, still, as a whole, the actual earnings fall below the rates that are quoted. Let me give you an example. In the stores we found 99 persons were quoted as receiving a weekly rate of less than \$3. For the given week, when we went to the store we found that over two thousand persons actually received less than \$3 for that week. Now the cause is not here considered. It may have been due to shiftlessness or due to industrial causes. Nevertheless, more than two thousand people got less than \$3 for that week. Let me show you by another example in the confectionery trade, 13 per cent. of the people were supposed to get less than \$5 a week, according to the rates. Actually, however, 22 per cent. of all the employees got less than \$5 for one week.

Q. How many is that 22 per cent. in numbers? A. One thousand nine hundred.

Mr. BLOOMINGDALE: Will you ask him why?

Dr. WOOLSTON: I have stated, Mr. Bloomingdale, that the causes of reduction need not enter here. Many of these people were absent. But as a matter of fact they got less than three dollars a week — no matter why.

Mr. BLOOMINGDALE: During that week?

Dr. WOOLSTON: During that week only.

Let me summarize with regard to the workers in New York city. Out of 42,000 people in the stock and sales departments of the larger stores and in the factories of the three lines mentioned half got less than eight dollars for a week when we investigated these plants.

Mr. BLOOMINGDALE: Wouldn't it be more exact if he should say got that during the week instead of for the week?

Dr. WOOLSTON: Will you please translate when I say "for" to "during" the week?

Mr. BLOOMINGDALE: It makes a difference on the record.

Commissioner DREIER: Point out the difference for the record,

Mr. BLOOMINGDALE: If a person worked but four days a week they got it during that week but not for the week.

Dr. WOOLSTON: What did they get it for?

Mr. BLOOMINGDALE: They got it for four days' work, or as the case may be.

Dr. WOOLSTON: Let me give you another illustration. Of 15,000 women and girls employed in the industrial lines mentioned about 8,000 received less than \$6.50 during that week and nearly 4,000 got less than \$5 for the work performed during that week. This gives you some idea of the difference between rates and the actual earnings.

Now I have said that the difference is due to certain causes. First, there are premiums and commissions paid in many of the stores. These vary widely from one per cent. on all sales to two per cent. above the department average. They vary widely. They do bring up the receipts of the more skilled sales people. For example, here is the largest commission we found — one per cent. on all sales. Whereas at the rates quoted, the average rate for salesmen in this store was \$9.93 for a full week's work, because of the commission that was earned on a week preceding Christmas, the average man actually earned a little over \$14. Among the saleswomen the average rate for a full week's work was quoted at \$5.76, and because of the commission the payment was raised to \$8.85. This is the largest commission that we have found.

There are also deductions, deductions for the time lost, which I will come to presently, and also deductions from other causes. Out of 831 women interviewed in 20 New York stores, 194, that is 23 per cent., testified to having been fined from 10 cents to half a day's pay for lateness. Forty-one testified to other fines for shortages and for errors. A number of men also stated that part of their wages was withheld for loss of packages or breakage.

Also where the mutual benefit associations were compulsory, as they used to be, there were deducted from the actual receipts of the person the amount that was taken for his benefit. When it was optional we did not deduct this amount.

Q. Now will you explain what the mutual benefit assessment is? A. The mutual benefit assessment is an amount of the wages of the persons, varying according to their salary and position, say from ten cents to twenty-five cents, for benefit in case they are ill, for the services of a physician or payment for so many week's illness. In this respect the Insurance Department of the State of New York has made an investigation which will be published in the report of the Commission.

The CHAIRMAN: Compulsory insurance of that kind is done away with so far as corporations are concerned?

Dr. WOOLSTON: According to law.

The CHAIRMAN: The last session of the Legislature did that.

Dr. WOOLSTON: Yes, sir.

The CHAIRMAN: Was that because money deposited in one or more of the department stores was lost when the concerns failed?

Dr. WOOLSTON: I think that occasioned some stir about the matter.

Now with regard to deductions in the other lines. In the shirt trade, in some Troy factories, the sewing women rent their machines from the firm, and they also pay for the thread they use and sew into the shirts and for their needles. In one place they were taxed for ice water. I deem this an exceptionally mean example, but it is an example showing that you cannot foresee from the rate of a person how much is going to be in her envelope at the end of the week.

We now come to the question of the days and hours worked.

Mr. ELKUS: Was the payment of commission to those ladies in department stores a general thing or an exceptional thing?

Dr. WOOLSTON: It is a matter that varies widely. We found twenty-nine stores where commissions were paid, and we also

found premiums. We also found Christmas gifts and presents which are not commissions.

Mr. ELKUS: Is it so among the larger stores?

Dr. WOOLSTON: Yes.

Now as to the days and hours worked, there is little point in stating the hours that the stores and factories are supposed to keep open, but a good deal of point in finding how many hours the persons whose pay envelopes we had, worked during the preceding week. We found that about 20 per cent. of the people investigated lost a day or more during the week; that about 7 per cent. of them lost about 2 days or more. So there was a considerable deduction from this cause alone. This amount varies. In the department stores pretty nearly 90 per cent. of the people worked the full week. The situation is worst in the candy industry, probably due to the slack seasons. One-quarter of the people lost a day or more during the week studied.

The CHAIRMAN: Is that loss due to the employer or employees?

Dr. WOOLSTON: I was speaking of the amount of time lost. Why it was lost I shall speak of in a moment.

The legal hours were followed in most cases, except there came a rush order, or except in very busy times of inventory, or stock taking, when persons might be asked to work at night occasionally or on Sunday. We found the twelve-hour day on Saturday very frequently in the smaller stores up-State. We found that in New York city half of the women testified to extra time before the holiday season. Twenty-eight men and 62 women said they had some night and extra work to do during the year. One hundred and four men and 250 women (that is, out of a thousand interrogated on this point in New York city in the stores) said they had some overtime besides the Christmas season.

By Mr. ELKUS:

Q. Now will you explain how these 1,000 whom you interviewed were selected out of the large number? If I have anticipated you, wait until you come to it. A. No, I am very glad of interruptions. We handed to each employee a card asking for the name, address, age, conjugal condition, trade ex-

perience, whether paying board, etc. For a representative number we wished to have a more detailed interview regarding their trade experience and their domestic conditions. We tried to get a reasonable number in each line, in each factory, from the women and from the men, from the single and from the married, from the foreign and from the native employees. In the main we took the low paid persons because there was very little question as to the success of the persons who got the high rates. We took in the stores and the factories, roughly, about one per cent. of the persons. We tried by taking many persons in many factories to get typical returns.

Q. These people were selected outside of their marital condition and age; they were selected at random? A. Yes.

Q. No particular selection was made? A. Yes. We tried to get people of the various kinds and at the different wage levels up to a reasonable amount. It was not thought necessary to inquire as to the domestic responsibilities of any one who gets 25 or 50 dollars a week. It was assumed that they could live reasonably well.

Q. And these thousand persons were personally interviewed by members of your staff? A. Personally interviewed as to their trade history and as to their domestic conditions. Shall I continue?

Q. Yes. A. We were speaking about hours. I said that legal hours were followed in the main. It may amuse you to know that when the law was changed and we inquired of the New York city stores how they had readjusted their program so as to conform to this law, that several firms — three, to be exact — I don't wish to exaggerate — three wrote saying that they would be pleased to return the hours they observed if we would first tell them what hours were supposed to be observed. We found violations in the factories and stores throughout the State. Quite incidentally we found 143 children working more than 48 hours; 717 women working more than 54 hours in this one week when we struck them; 134 young men between 16 and 18 working more than 54 hours — 909 violations in all, quite incidental to our work.

Q. That is in that week? A. In one week.

Q. And this week was selected at random? A. This week fell

between the 15th of September, 1913, and the end of June, 1914. But the violations for stores were found upstate under the new law. It was difficult to get the employe to testify as to violations of hours when a member of the firm was present. And it was impossible to find the violations from the books, except as shown in payment of supper money — which we did find.

There are great seasonal fluctuations in these businesses that throw a large part of the people out of employment. They displace from season to season from ten to fifty per cent of the working force. For example, right after the Christmas season in the confectionery industry, 25 per cent. of the working force is thrown out. The drop in wages is still greater. Upstate in the shirt factories we found a fluctuation of 12 per cent. above and 30 per cent. below normal, a total fluctuation of 42 per cent. — I beg your pardon. I have misread. I should say a fluctuation of 6 per cent. above and 27 per cent. below normal, or a total fluctuation of 33 per cent. was found. The fluctuation in wages quoted amounted to 45 per cent. The variations in the wages are greater because in busy seasons all the best workers will be making a lot. In the slack season they will all be running under. So that out of nearly 400 women interviewed in the shirt and box trades, we found that the fluctuations in their wages were about 33 per cent. between prosperous times and dull times. Now fluctuations of 33 per cent. in a wage of \$7 a week is a pretty serious matter. It means a standard of living either pretty low or extremely elastic.

In the stores, which are generally supposed to be steady, we found the fluctuations still greater. From the returns given us from 18 large department stores in New York City we found that in their busy season before Christmas they employed about 56,000 people. In their low period during the summer holidays they employed about 35,000 persons. That is a difference of about 20,000 people. Now the normal number of persons in those stores is about 42,000. This is then a fluctuation of 33 per cent. up and 15 per cent. down, or a variation of nearly 50 per cent. around the normal working force of the stores. This is the total fluctuation of the business. But it by no means represents the number of persons who passed through the establish-

ments. This is like the rising and falling in the tide. The number of waves that beat on the beach still has to be spoken of.

In 11 large department stores in New York City, according to their own returns, about 43,000 persons were "hired and fired" during one year. Their average working force was about 27,000. That is the drift amounted to about 160 per cent. of their stable force.

Mr. BLOOMINGDALE: May I ask you to correct the statement of "hired and fired?"

Dr. WOOLSTON: Some of them left voluntarily. Now with regard to the other industries, 2,300 persons in nine New York box factories were employed and left during the course of the year. The average force of these factories was about 800. There were twice that number employed and twice that number resigned or were asked to resign during the course of the year. Their tenure of office was also somewhat brief. One-half stayed only two months or less; only one-sixth stayed eleven months or more. In the candy factories we find the same running through of unstable fluid labor. Of 3,000 employes reported during the year in 10 New York candy factories, we found that 20 per cent. were with the firm ten months or more; 60 per cent. five months or less; 40 per cent less than five weeks. Now obviously there is a great loss of time between jobs, and that is the next point I should like to mention.

Mr. BLOOMINGDALE: Will you state whether your statistics cover those who voluntarily left the stores and those who were discharged?

Dr. WOOLSTON: That was asked for but only in one or two cases did we get that information.

Mr. BLOOMINGDALE: You asked for it but didn't get it?

Dr. WOOLSTON: Couldn't get it.

Mr. ELKUS: May I ask you whether after you obtained all these facts as to each establishment what communication you made to each establishment?

Dr. WOOLSTON: That their records were open to inspection.

Mr. ELKUS: And correction?

Dr. WOOLSTON: Yes, sir.

Mr. ELKUS: Did any of them avail themselves of your permission?

Dr. WOOLSTON: They did. A number of men from the stores came and looked over the records and made suggestions which we were glad to carry out.

Mr. ELKUS: So that you have taken into consideration every correction they wanted to make?

Dr. WOOLSTON: So far as we were able.

Mr. ELKUS: Those figures were open to each manufacturer and each store where you obtained them?

Dr. WOOLSTON: Yes, sir.

Now as to time lost and the causes. This is an important matter. Let me give you a summary lest I weary you with a mass of figures. Of 1,500 women employed in different lines in New York City, two-thirds had lost during the preceding year on an average about one month. Two or three weeks of this time was due to industrial causes. That is slack work or no job. One to two weeks were attributed to personal causes. That is, to personal illness or trouble in the family. Even holidays and vacations caused loss in the industrial lines, because they are not paid for, and in some cases there were enforced vacations. Of course a holiday is always a loss to a piece worker. In the stores the majority have one or two weeks' vacations at half or full pay. That depends on how long they have been with the firm. So much, then, for lost time.

I have tried to show you the variation from rates and the causes thereof. Now as to the annual earnings. It is important to know not merely what a man or woman gets in one week, but what that man or woman gets for an entire year. You realize that the only way to find the annual earnings of a person is to tag her around with a little book and take her earnings every single week in a year. That, of course, is manifestly impossible.

But we did take from the books of the concerns where we were able to find such memoranda, the earnings of all persons who had worked there for 43 weeks or more; calculated their annual earnings; and found their average weekly earnings on this basis. May I then summarize by saying that out of some 3,000 persons from whom we were able to obtain this data half of the men earned less than \$700 for a year's work, and half of the women earned less than \$400 during the year. These are the steady workers. These are the better paid employes. These are the foremen and cutters. A great number of less skilled hands come and go; but the people who remain with the firms are the better paid employes. Now upon this basis the average earnings of the men was under \$14 a week, and the average earnings for the women under \$8 a week.

Of course these amounts vary in the different trades. Let me then give you for two trades, the boxes and the candy concerns, the average weekly earnings on the basis of their annual receipts. The men — the males, I should say, get about \$11 a week; the females about \$6 a week. So much for annual earnings.

The next question is as to whether these people were worth any more. Maybe they were young and inexperienced; maybe they were just beginners. I have some facts then as to the relations between earnings and experience. The typical employes in the lines studied are young persons who have worked ever since leaving school. About one-half of their working years have been spent in the trade where they were found, and approximately one-half of their trade experience has been spent with the firm where they were recorded. Girls begin at about \$4 or \$5 a week. I am now giving median figures. Boys begin at about \$6 or \$7. Men arrive at their average of \$14 or \$15 after about five years experience in the trade. The women and girls arrive at their average rate of \$6 or \$7 after about two or three years in the trade. After this the advancement is much slower and the dropping off is very rapid. Most skilled men — for we studied not only the whole mass of employes, but also certain skilled trades as those of cutters and candy makers — most skilled men do not arrive at \$20 after thirty years experience in these trades.

Mr. ELKUS: After thirty years of age?

Dr. WOOLSTON: Thirty years of experience in the trades. I have already given figures as to years of age. I am now giving the age in the trades. For a person may be young in years and old in a trade or vice versa. Most skilled women do not rise to a wage of \$10 after the same length of experience — thirty years in the trade. Comparatively few gain such levels, because there is a very rapid dropping off. In stores it is true that there are women who receive \$15 (mostly those in charge of stock or heads of small departments) after twenty years. But these constitute only about 2 per cent. of the employes.

The chances, then, of promotion are slight. The rise is slow and uncertain. About 15 per cent. of the forces that we studied received a rise during the year preceding our investigation. This amounted generally to a dollar or two during the year. We took the statements of 240 women in the New York City stores regarding this matter. We found that those women who had always been with the firm where we found them — who had always been in the one firm — had secured a rise on an average of about fifty cents a year during their incumbency. The promotion is manifestly slow. When we asked these women how they secured the rise they said, in the main, by asking for it. Some of them (approximately a half) said they believed their length of service and their efficiency had something to do with it. Others said a rise was to be secured by jumping, that is by threatening to leave and saying they would receive more in another place. So much for the experience.

In these lines there is competition between certain persons who live at home, and in the shirt trade between prison labor and free labor. We found "extras" in the stores, and made a study of some 800 of them throughout the State. These persons are on duty certain days of the week or certain hours of day. In the main they were young women in the sales departments. The majority worked for a day or half a day, and received for their work about seventy-five cents or a dollar. There are also some men who work at special sales, and who receive ordinarily \$2 for a day's service, unless they happened to be on straight commission.

In shirts we found a good deal of home work. We studied 100 home workers in the Troy shirt district. They were engaged in turning cuffs and collar bands. That is, the material, after it has been sewed on the wrong side is turned and the edges are pressed for the final stitching. The workers are mostly married women that live at home. They the paid 5 cents a bunch of two dozen, and they can earn a dollar a day, minus collection charges, which the driver abstracts from their envelope before he returns it to them from the factory.

Mr. ELKUS: How many hours a day do they have to work?

Dr. WOOLSTON: That means working a full day. Some women to earn more than that will neglect their household and work at night. The work is uncertain in the main. The average weekly earnings for the 100 cases that we found, in a week in June amounted to \$3.23. Obviously this is not sufficient for the worker. But the system does put into the market forces competing with independent labor.

There is an aspect of the condition to which I wish to call your attention. That is, these goods go out of the factory into the homes of the workers and are then returned to the factory, with all the sanitary danger that this transfer causes. The law says that this is allowable for the class of goods that are subject to a laundering process. This class of goods is not always subjected to a laundering process.

The shirt trade also suffers from competition with prison labor. We have reports from five State institutions employing about 1100 persons, who worked ordinarily from eight to nine hours a day in the shirt shops. The institutions are paid from 30 to 50 cents a dozen for making these work shirts, or they are paid from 45 to 66 2/3 cents for a worker per day. Obviously this is less than a free worker could work on.

Mr. ELKUS: In what prisons are these made?

Dr. WOOLSTON: I can find that for you. The competition in shirts comes largely from Rhode Island, Vermont and Maryland prisons. There are also large institutions in the west. The state furnishes everything except materials and machines. To give you a notion of the output of these factories — two institutions pro-

duced 195,000 dozen shirts in 1913. Now this is a serious competition in the market with free labor. A manufacturer must either come to the terms of contractors who sell these prison-made shirts, or else cease selling that line of goods.

We also found some home work in the box making trade, but comparatively little, so I will not stop to mention that.

Two other points as to the conditions of these people: How about their earnings with regard to their marital conditions and with regard to their nativity? In other words do foreigners earn more or less than natives, and do married people earn more or less than single persons. I shall now speak of earnings — median weekly earnings.

By Mr. ELKUS:

Q. Before you take that up will you at some time bring before the Commission what facts you have with reference to the number of people who live at home, that is girls who live at home? A. I have that coming.

Q. Go right ahead? A. As to earnings and nativity: Immigrants, especially those who do not speak English, as has already been stated, tend to fall into the less skilled trades, and in general receive low rates of wages. This is well marked in the confectionery and shirt industries, where, for example, the native men usually earn eleven dollars, the foreign men will earn ten dollars. However, this is marked in the case of the stores, where the immigrants are generally English speaking people. There, on the other hand, because of their greater age, the foreigners earn slightly more than the natives.

Now as to home relations and marital condition, let me in an equally brief way summarize. Married persons do, fortunately, earn more than single persons. This is due in the main to the fact that they are older and are usually more experienced. Whereas single men ordinarily earn from eight to eleven dollars a week, a married man in these lines will ordinarily earn from twelve to sixteen dollars a week. A single woman will ordinarily earn from six to seven dollars and a married woman may earn from six to eight dollars. Of course this varies in the different trades. The married men in the confectionery trade did not earn in the week in question an average of twelve dollars. Married women in this

same trade did not ordinarily earn in the week in question as much as six dollars. We found in the stores and the shirt factories throughout the State, 937 married men who earned during the week in question less than ten dollars, and 434 widows who earned in the week in question less than six dollars. This may give you some notion of the actual earnings, weekly and annual, according to the various conditions of the persons in question.

The next point to be briefly treated is what these figures mean. I shall not develop this side of the work, which was done in the main by Professor Frank Streightoff. The principal facts under this head will be brought out in the discussions by Miss Packard and Mrs. Orenstein tomorrow morning.

Q. Professor Streightoff did his work for the Commission? A. Yes, sir.

Mr. ELKUS: He isn't able to be here today or tomorrow.

Dr. WOOLSTON: What do these people need? We have seen about what they get, now what should they have according to the judgment of persons who are supposed to know? The Factory Commission inquired of many people throughout the State — persons connected with trade and business organizations, with philanthropic and educational institutions. It asked them what they believed was a reasonable amount for a young unmarried person in the city, and also for a family consisting of a man and wife and three little children. Most of these people agreed that to live decently, simply, efficiently, in our cities today, requires from eight to ten dollars a week for a self-supporting person. Professor Streightoff's investigations led him to believe that at least nine dollars is required for a young woman living independently in the city of New York. Eight dollars or more has been fixed as a minimum rate by wage commissions in four states in the United States. It is therefore about as low a figure as we can talk about on the basis of standardization. You will then remember that about three-fifths of the female employees in the stock and sales departments of the stores and the industrial lines in New York city earned less than eight dollars a week, and out of 15,000 women and girls in the factories that 8,000 earned less than six dollars and a half in a week.

Let me present an eight dollar budget and see what you think could be taken out of it. Clothes, \$1.50; room, \$2.00; breakfast and dinners, \$2.00; six lunches at 15 cents, 90 cents; carfares at ten cents for six days, 60 cents; insurance and medical care, 25 cents; dues, reading and amusement 50 cents; savings 25 cents. Where will you cut?

Q. How much does that amount to? A. Eight dollars. Professor Streightoff has said that most women who receive less than ten dollars can not or do not save.

Q. That is assuming that they earn the eight dollars the year around? A. Assuming they earned it the year around — which is a very large assumption.

Now with regard to families: These same persons who were requested to give estimates say they believe it requires from 15 to 20 dollars a week to support the family of a working man; and the probability is that it would be over eighteen dollars. Professor Streightoff's studies lead him to believe that at least seventeen dollars is required for a man, housewife and three small children. It is then interesting to note that one-half of the married men in all lines studied in New York city, during the week considered received less than \$15. These lower amounts mean crowded homes, poor food, insufficient clothing, no provision for medical care or insurance; no saving for a rainy day. And if people do get along, it is a make-shift existence that they lead.

Now, what can business afford? I speak with much less assurance on this point because the firms were unwilling in many cases to give us their financial accounts, telling us quite frankly that it was none of our business. But in some cases they gave us a pretty definite notion.

Before I get to that, however, I should like to speak of a point that is connected with this matter of home conditions. That is the personal circumstances of the workers. How many of these women live at home? Counsel has asked for that.

Of 1,300 female employees in different lines in New York city, we found that 65 per cent. were living with their families; about 20 per cent. with their friends or relatives; approximately 15 per cent. were living independently or with strangers or friends. That is to say, 84 per cent. may be said to be within reach of assist-

ance in case of dire necessity. We found however, that in half of the families of the wage earners in the stores, there was no male wage earner. We found, regarding earnings, that the median earnings of those who lived with relatives or friends was seven dollars; of those that lived independently, nine dollars. So that residence with or without ones family may be a matter of necessity as well as of choice.

Then as to contributions, we found by interviewing over 300 women who lived at home, that 75 per cent. of them turned over all of their wages to their families, and that more than 20 per cent. of all paid board in amounts varying from two to eight dollars. That is the "pin-money" idea is pretty well knocked in the head. Only 5 per cent. is left to be accounted for. The rest turned over their money to their families.

Q. What do you mean by the pin-money idea? A. Some people say that many women work for pin-money. They haven't anything to do, and so they go into the factory or store, and spend the money they earn on dress and amusement.

Q. Do not contribute to the family? A. Do not contribute. As to self support, the returns from 500 factory workers show that 23 per cent. of these people had to be helped by their relatives.

Q. That is you took 500 cases and — A. Inquired into their circumstances. We found that 40 per cent. may be called self-supporting (that is paying their way). Thirty-six per cent. or more than one-third, were helping to support some one else. Their earnings were actually necessary in order to carry on the family group. We found that the average family consists of about five persons. This is from an investigation of about 156 box workers' homes. The representative family consisted of about five persons — three wage earners, a housewife and a little child. When all the people were working, they brought in about \$25 a week, of which the box worker contributed about \$7, or 28 per cent. You can see that if the earnings of that box worker were subtracted, it would be difficult for the four adults and one child to live on the remainder.

Now then, what business can afford: First, we found a remarkable variation in the standard of wages paid. We found, for example, one New York department store paid 86 per cent. of

its saleswomen less than \$10; another one paid 86 per cent. of its saleswomen \$10 or more. The standard was perhaps somewhat due to the character of the trade and the ability of the woman. But it is a marked difference. We found paper cutters in Brooklyn in one factory were receiving from \$10 to \$15, and for about the same kind of work in another factory, from \$15 to \$20. We found in one wholesale candy factory in Manhattan that no laborer received \$8; that no dipper received this amount; and that no fancy packer received as much as \$6.50. We found in another wholesale factory that every laborer received over \$8, and that the majority of dippers and packers received above the amounts mentioned.

There seems to be no standard in the trades. Let me quote you the difference in shirt rates. In New York City in the work-shirt line, the rates per dozen for a section of the work are from one to five cents a dozen. In the Troy district for a slightly better grade of work, it is from five to ten cents a dozen for all sections of the work. Some of the persons who came to see us and asked about our returns protested that no such rates as we had recorded were paid. We were obliged to go to the cards that were filled out by the workers and corrected in the office of the concern, to show them that there were persons entered in certain occupations at these rates. These men were unfamiliar with rates outside of their own factories, and did not believe that such low rates were paid. There is no standard.

Q. You mean one manufacturer would say that he did not believe that any other manufacturer paid such and such a rate? A. Paid so low a rate.

Q. You had to show them? A. We had to show them. Now what does labor do for the amount that it is paid? Let me take some typical rates, if I can, and illustrate what labor does. Strippers in a paper box factory get from five to fifteen cents a hundred for covering the sides of boxes with pasted paper. Suppose they averaged ten cents per hundred. That means 6,000 boxes for about \$6 a week. That is about two a minute for fifty-four hours.

Q. Is that hand work or on machine? A. That is all hand work. On the machines it is different. They were not classified as

strippers. In dipping a good chocolate dipper will cover 800 pounds of chocolates at a cent a pound for eight dollars a week.

Q. Tell us what dipping is? A. Dipping consists in taking the cream center of confectionery when it comes from the mold and dipping it into a paste of chocolate, thus covering the surface, and then making a little curlikew on the top. Sometimes it is done with the fingers and sometimes with a fork. It is usually thrown into the hand and covered, or dipped into a pot. Fifteen pounds an hour may thus be coated.

The proportionate labor costs in the various industries vary enormously. But first let me give you an idea of the earnings of clerks on the basis of their commissions. I am sorry I am obliged to confine myself to these excerpts, but I want to give you the figures as nearly correct as possible. In one New York City store we found that the commissions of the men for a week shortly before Christmas showed an average of \$437 worth of sales. This was on a 1 per cent. basis. The women averaged about \$309 for the week.

Q. That is they got 1 per cent. of that? A. They got 1 per cent. of that in addition to their salaries. According to the estimates of 227 saleswomen, their sales for a week will range between \$30 and \$200, depending upon the department, the season and the location of the store. The men range from \$50 to \$350.

Now as to the cost of labor: You probably know that the proportionate labor cost in the total expense of manufacture and sales varies enormously. According to the Federal statistics it ranges from 4 per cent. in the making of sugar to about 49 per cent. in the making of steel cars. We found from the financial returns of ten representative paper box factories in New York city, that the labor cost varies from 17 per cent. to 30 per cent. of the expenses, averaging about 25 per cent. of the value of the sales. To give you a more concrete example, a more vivid one, let us take the case of the blue chambray working shirt, such as motormen and carters wear, which retails for about 50 cents. It costs the manufacturer to make it, about \$2.85 a dozen, and he sells it to the jobber for about \$3 to \$3.50 a dozen. Now the material that is in that shirt costs the manufacturer about twenty cents and the labor for cutting, sewing and packing costs a little less than five cents.

It has been asked what the cost of increasing wages in certain lines might be. For purposes of illustration I made some calculations as to what the cost of a rise of wages would mean. In the industrial lines we found some four thousand women of 18 years and over who were getting less than \$8 a week. They averaged \$5.79. What would it cost to raise these women up to \$8 a week? It would add about 7 per cent. to the payroll. But the wages of labor being only about 13 per cent. of the total cost of manufacture, it would add 7 per cent. of 13 per cent. to the cost. In candy that would mean increasing the cost of 100 lbs. of candy twenty-four cents.

Q. How much in money, can you tell us that? A. In round numbers it would amount to \$9,000 a week.

Q. In which line? A. In the three industrial lines.

Q. In all three? A. Yes it would mean for each establishment \$1,300 a year on the average, and for each woman who is raised an average of \$115 increase in a year.

Q. You gave an illustration of 100 pounds of candy by percentages; how much would that be in money if you can give it to us? A. It would amount to $9\frac{1}{4}$ per cent. increase on the labor cost in confectionery. The total labor cost in confectionery is 13 per cent., nine per cent. of 13 per cent. is 1.2 per cent. That would make it on 100 pounds of candy, twenty-four cents.

Q. Twenty-four cents on 100 pounds of candy? A. Yes, sir.

Q. That would be about one-quarter of a cent a pound? A. Yes, sir.

The same thing was figured out about raising the sales people in the stores. It would amount to one-third of 1 per cent. to raise the saleswomen to \$9 for the large department stores. In the neighborhood stores it would necessitate pricing articles at a full dollar instead of 99 cents, in order to raise the mature women to \$9 and the girls under eighteen to \$6.

With regard to profits, it has sometimes been asked, what would the effect be on them? You see there are three things that may be affected—the price of goods, or the number of workers who may be displaced, or the profits that may be cut down on the basis of the figures we have. To raise 5,000 women in the large New York City stores to \$9 would add about \$11,000 to the pay-

rolls. Supposing that the cost of stock and sales departments in the stores is about 8 per cent. of the expense, it would amount to one-half of 1 per cent. of the net returns on the sales. Now if the annual turnover, as in most stores, is five or six times per annum, this would amount to abstracting from the net earnings of 5 per cent., one-half of one per cent.

Q. Where do you get your figures? A. The figures as to the persons involved and the amounts paid are from the returns from the stores. The proportions used in determining what percentage is paid are from the returns of accountants to whom we were referred by persons interested and concerned in the dry goods business. I can not mention the names of the accountants unless the Commission articularly wish me to. Many of their returns were published without names.

By Mr. BLOOMINGDALE:

Q. Have you figured out what the effect would be on the payroll if the wages of all women were raised? A. No, I did not.

Q. That would have to be taken into account? A. It would.

Q. So that these figures apply to a very small proportion? A. No, not a very small proportion. That is not fair to say. I do not think you are correct in saying it is small and insignificant.

Q. I did not say that but I say applying figures to a proportion would not be particularly significant? A. I do not accept your statement. It is significant. It is not conclusive.

By Mr. ELKUS:

Q. Now you have some charts there doctor, do you want to take them out? A. Mr. Elkus if I thought that by describing them at a distance people would understand them, I would be glad to do it. I think the best thing would be to put them up and let them be studied. We have charts showing the variations in rates and earnings and all the other facts, and I wish they could be studied.

Mr. BLOOMINGDALE: Do I understand you to say then you have not figured these percentages out as they would apply if the wage rate were fixed for all of the employees of the stores?

Dr. WOOLSTON: No.

Q. You took what limit? A. For purposes of discussion I took in the industrial lines of work a wage of \$8 for the adult women

in the factories and for the mercantile lines a wage of \$9 for women eighteen years or over, and a wage of \$6 for girls between sixteen and eighteen.

Q. And for what proportion of all of the workers did you base your figures on? A. I think the stock and sales will amount to two-thirds of all the employees in the stores, will they not?

Mr. BLOOMINGDALE: Perhaps — not two-thirds.

Dr. WOOLSTON: I can find the proportions for you in a moment.

Q. You took it upon the proportion which you found in your figures? A. Yes, sir.

Q. Mr. Bloomingdale wants to know if you applied this minimum wage or these figures which you fixed as the minimum, how much that amount to in dollars?

A. I have the figures here if Mr. Bloomingdale is interested. In seventeen large department stores, there were over 5,000 women receiving less than \$9 a week. That is 53 per cent. of all females 18 years or over in the stock and sales. To raise these women to nine dollars would require eleven thousand dollars a week, adding 5 6-10ths per cent. to the payrolls. If sales are five per cent. of the price of goods, six per cent. of five per cent. is one third of one per cent. added in the selling price to raise these women in the stock and sales departments.

Q. All of the women? A. Yes, sir.

Q. May I sum up? One half of the people discovered in this investigation get less than enough to live properly and independently, according to the standards fixed by those persons who have expressed an opinion and made a study of this matter. Nevertheless business does make profits out of this cheap labor.

Q. You say one-half of the people; can you give us the number? A. Yes, that is something over 50,000.

Q. That is you examined 100,000 people? A. 105,000.

By Mr. BLOOMINGDALE:

Q. Is that New York city or the State? A. In the State.

Q. How does New York City compare with up-State? A. In New York City both higher and lower rates are paid. I believe

on the average the rates would be a little lower up-State, due mainly to the cost of living.

Q. That is, wages are lower up-State? A. I believe so. They are analyzed in tables here for each locality.

Q. You spoke of one industry in which the wages are higher than in New York City? A. In the shirtmaking industry.

Q. It is a fact, isn't it, that where foreigners are employed wages are less? A. Yes, sir.

Q. That is, New York City takes much of the large numbers of foreigners who come here and settle here in New York City? A. Yes, sir.

By Mr. ELKUS:

Q. Go right ahead doctor. A. I think I have said about all I care to say, Mr. Elkus. If there are questions I shall be glad to answer them.

Mr. ELKUS: I might say, Mr. Chairman, that the Commission sent a letter to every manufacturer and every employer whose business was investigated of the hearing today and asked him to be present so that if he wanted to ask any questions he could, and I presume now you will permit anyone who desires to interrogate Dr. Woolston to do so?

The CHAIRMAN: Does anybody desire to ask Dr. Woolston any questions with reference to the testimony he has just given?

By Mr. RIEGELMAN:

I do not represent anybody in particular. I am just generally interested. I am an attorney.

Q. With reference to your statement that 50 per cent. get less than enough to live on, of those investigated, I understand that to be less than enough to live on for independent living? A. Yes, sir.

Q. Your figures do not calculate what per cent. get enough to live on in conjunction with other members of a family living together? A. No. I tried to indicate when I stated that half of the married men do not make \$15 a week.

Q. But when you say half of the married men do not get more than \$15 a week, are you taking into consideration these case if there are other people contributing? A. No, independent living.

Q. So that the mere statement that they are earning less than \$15 a week, notwithstanding that the family may be living very comfortably? A. It means other people have to work in order to do that.

Q. You don't know in these cases whether they do in fact? A. No; I can find out in how many cases they do, but I do not have the figures at my finger's ends.

Mr. ELKUS: But you have them in your detailed report?

Dr. WOOLSTON: Yes, sir.

Mr. BLOOMINGDALE: I want to say that Professor Woolston's recital this morning is intensely interesting. But unfortunately it would also bespeak a command of statistical knowledge that very few people would have to take them up and discuss them, or examine them without trying to study them is a rather difficult matter, and I think perhaps you will get a better suggestion before you by permitting these figures to be studied rather than to question some incidental effect.

Mr. ELKUS: You were not here at the beginning of the session?

Mr. BLOOMINGDALE: Yes, sir, I was here before the beginning of the session.

Mr. ELKUS: I announced that Dr. Woolston would give his report and then we would have later hearings where these facts could be discussed and there would be ample time for discussing them.

By Commissioner McGUIRE:

Q. Doctor, these investigations did not include any organized labor? A. No, we avoided that because we thought where the trades were organized they were looking after this, and we took the lines where there were mostly women and children, because those persons seemed to be less able to take care of themselves.

Q. Have you reached any conclusion as to whether the organization of labor is not better than the establishment of a minimum wage? A. Now you are asking me a question about policy which it seems to me it is not my place to answer. If you will pardon me, I understand I was to state only questions of fact.

Q. I merely asked of you, have you come to any conclusion on that point, or have you given it any consideration? A. Yes, I have.

Q. Would you care to state now what your conclusion is? A. Yes, if you wish me to.

Q. I think that would be interesting. A. I think that where the people are able to look after themselves there is no necessity for this sort of work, but where you have a trade that is composed very largely of women and children and where there is no organization, then these people are powerless to present a united front.

Q. But they are not powerless to organize? A. But they are powerless to organize because of their character.

Q. What do you mean by their character? A. I mean that these people are young and inexperienced; that they are women and children; that they are foreigners. It is hard in the first place to get them together. In the second place the objection of the manufacturers to organization and the pressure of want at home makes them fear to lose their jobs and they do not dare to get together.

By Mr. BLOOMINGDALE:

Q. Are you stating this in the industries or mercantile? A. Both.

Q. Mainly aren't the industries organized? A. No, these industries are not.

By Commissioner McGUIRE:

Q. You would not make that as a general statement, applicable in all cases, that they fear to organize? A. No, but certainly the organization of employees is looked upon with great disfavor by many of the employers. In fact so much so that one of our cards which had a question with regard to the union — whether a member of a union or not — we were requested by one group of employers to completely eliminate. They feared lest the subject be mentioned.

Q. But the manufacturers generally are not entirely opposed to organized labor? They co-operate to advantage frequently? A. Sometimes.

By Mr. ELKUS:

Q. Do you understand that the trades investigated were not at all organized or entirely unorganized? A. I would reply by saying that they were scarcely organized at all. There is a struggling union in the paper box trade. There is the beginning of one in the stores. I can find only vestiges of one in the confectionery and remnants of one in the shirt trade.

Q. Have there been times when there has been contention between employees and employers in the candy and paper box trades in which all the employees joined on one side as against the manufacturers; I ask that for information, I don't know? A. I am unable to give you the information.

By Mrs. FREDERICK NATHAN:

Q. Doctor Woolston said that he did not find that there was opposition to organization in the stores? A. I didn't mean to say it. I said there was in some of them.

Q. Have you found that in the mercantile establishments they have objected? A. There is a bit of history that is rather amusing in that regard. You were not here Mrs. Nathan when I began by saying that employers in the mercantile lines requested that the names and addresses of the employees should not be entered upon the cards, because before that time union agitation had been active in the city and they feared that these names and addresses might fall into the hands of organizers.

Commissioner DREIER: I would like to say for the benefit of Commissioner McGuire that after working for about eight years in this field that I know the great majority of employers are opposed to trade union organization and I think that ought to go down as a statement from some one who does know something about it.

By Miss ROSE SCHNEIDERMAN:

Q. May I ask Dr. Woolston what becomes of the women who go in and out of the trade, who are discharged in the paper box trade, or resign their positions in the stores, or the shirt trade,— what happens to them; aren't they the underbidders in organized trades coming in and wanting to work for less at times of strikes?

A. I cannot say with regard to times of strikes specifically, but I believe this floating element does do just what you say,—underbid those now in one occupation or another. Mrs. Andrews will have to-morrow a very comprehensive statement on the rise and fall of the different trades and what happens to the people that are pushed in and out. She will answer much better than I can, Miss Schneiderman.

By Commissioner PHILLIPS:

Q. These trades are practically all non-skilled? A. Some occupations are skilled.

Q. It does not take long to acquire knowledge of the business? A. No, except that shirt cutting is relatively skilled work. Hand dipping in the confectionery trade takes considerable practice. I wouldn't call them unskilled lines, but they are not the most highly skilled trades.

Q. The percentage of hand dippers in the candy business is small. Aren't they using forks more than they used to? A. Both hand and fork dipping are increasing. The proportion of machine and fork dipping is increasing very rapidly.

Q. The proportion of hand dipping is increasing? A. Yes, sir.

Mr. ELKUS: Do you wish to explain what the charts are?

Dr. WOOLSTON: I wish we could get the people to study the charts. I think the charts would speak for themselves.

Commissioner MCGUIRE: I might say for the record that Mr. Gompers, who is perhaps best qualified to speak on the labor organization question, unfortunately is not here to-day. He will be here to-morrow and then perhaps we could take up that question from a little different standpoint.

Mr. ELKUS: Dr. Woolston will be here to-morrow.

Dr. ARTHUR D. DEAN, addressed the Commission.

By Mr. ELKUS:

Q. Doctor will you give your full name? A. Arthur D. Dean.

Q. And are you connected with the Department of Education of the State of New York? A. Yes, sir.

Q. In what capacity? A. Chief of the Division of Vocational Schools.

Q. Doctor Dean has Dr. Finley the President of the University of the State of New York, and your superior in the Education Department prepared a statement for the Commission? A. Yes he has, and he regrets exceedingly he can not be here to-day, but the three assistant commissioners are away and the law requires that some one be at the department who is in authority. He worked up a statement on Sunday and sent it to you, I believe.

Q. Have you a copy? A. Yes, sir.

Q. Will you present it to the Commission? A. Yes, sir.

Q. Then I understand you yourself have made a study of the subject under discussion? A. Yes, sir.

Q. We will be very glad to hear from you? A. Mr. Chairman and members of the Commission, the question has interested us a good deal at Albany on this matter of minimum wage and the Factory Commission investigation and the relation it might bear to vocational education. The minimum wage matters, while I do not claim to be in any sense of the word an expert on it, it strikes me oftentimes as though we were legislating for eggs, so to speak, legislating for wages while we might legislate for efficiency.

I was at Cornell a short time ago looking over their poultry plant and there they so to speak legislate for eggs but not directly. They legislate for a better hen, which means better housing conditions, a better educated hen, a better fed hen, and the result is more eggs. Now an average hen, I believe, they tell us, a good hen at least ought to lay 180 eggs a year. Poor ones lay fifty. Supposing at the agricultural department at Cornell this 50-egg hen ought to lay 180 eggs and so they will put under her 130 eggs, they will buy them somewhere and put them under her, that would be legislating for eggs. Instead of that they breed hens and they feed hens, and they house hens—in other words they educate hens in such a way that hens will lay 180 eggs a year.

Now I realize and we all realize that wages are not high enough perhaps to live on—particularly for our women—I do not see why we should except the men any more than the women in this matter, but to pay extra wages through some form of legislation when they may not—when these wages may not be earned—or when the work that these people do is not the kind of work that they should be doing any how—some of it is cheap work at cheap pay, it is nothing but cheap work anyhow, it might as well be legislated out, some of this feather making work in these tenements but instead of legislating as I say for eggs, for wages alone, couldn't we legislate for the opportunities to get efficiency through education. That is the State is concerning itself, it strikes some of us in Albany at the educational department, concerning itself a great deal with repair jobs rather than with constructive jobs. For example, the farm bureau work is to take care of the adult worker, the adult farmer, who is not a scientific man because he has not been to a country school that taught scientific agriculture. He did not go to school very long, but only occasionally, and the length of time he did go was devoted largely to things unrelated to the business of farming. He is an unscientific fellow, and the farm bureau is trying its best to work on his unscientific mind and develop an adult so that he can develop his farm better. If the State put this money into educating the youth of the State it seems to us, to some of us, that that would be a constructive job rather than a repair job. This workmen's compensation law I would not for a moment say anything disparaging in reference to, but I would like you to think of this, that we are going to compensate workmen for injuries in factories, etc., and we are going to forget possibly that this State contains over 400,000 adult illiterates who can not read and write, and it seems to me the constructive job would be to take the adult illiterates and teach them to understand the directions given in the factory in connection with the work, as well as the repair work of paying those that are injured.

Q. Where are the 400,000 illiterates? A. 281,000 are in New York City and the rest are up-State.

Q. Whereabouts up-State? A. In labor camps, lumber camps, construction work and some on the unskilled factory work. That

is our people say that while we can not legislate brains or legislate efficiency, which I think sometimes we are trying to do—we are trying to legislate brains or legislate efficiency—we can legislate for the opportunity for the getting of brains and the getting of efficiency. I have here five pressing constructive educational propositions to present to you, that are pressing in this State. The first problem is absolutely ignored—I say that carefully—is this problem of 400,000 adult illiterates than can be reached through the factory vocational school during the day where they are paid to go to school and at the same time they can work in a factory, something like this D. E. Sicher work that was carried on in New York City. The New York Central Railroad is perfectly willing to develop this in such a way that some of their foreigners engaged in construction work will go to school for a few hours each week, but this sort of work requires money and at present there is no provision for the work outside of the big cities, because these labor camps, Mr. Chairman, are in these small school districts and these small school districts are not interested at all in the proposition of giving education to those who do not permanently reside there. This must be it seems to us a State affair rather than a local district matter. New York City, of course, has started out well on this proposition of adult illiteracy, made a beginning. These adults can not be reached through evening school. After a man has worked all day, or a boy has worked all day, or a girl, evening school is hardly the place for them. They can not be reached. They can however be reached in four hours a week during their working time, when the school is brought right to their very doors, as it could be, if the schools co-operated with the factory or labor camp work.

Q. Suppose these illiterates are taught to read and write; how does that increase their capacity for work? A. Well, in the first place, probably the first and last place, they would have the ability to read and write which constitute the very first two essentials in industry, the ability to take orders, the ability to read directions, the ability to know a little about something they are doing.

Q. Most of these men, are they not engaged in manual labor of the crudest kind; that is, they are excavating, digging subways and ditches and doing work of that kind; how is the ability to read

and write going to help them to do that work any better? A. If Mr. Elkus is right in the assumption that might grow out of his question it would then seem that there was no necessity at all of having people in some lines of work understand directions; that there were no directions to be given or understood, and surely you don't mean that Mr. Elkus?

Q. I only asked you the question to get the information?

A. I know. Now the other reason, which is not an industrial reason directly, is the effect of citizenship possibilities or impossibilities of these illiterate foreigners. How can we expect them to enter into the American Democracy, such as we hope to have, unless they know about our language and the thought that goes with it.

Q. The mere fact that a man is a foreigner does not mean that he is illiterate? A. No, I refer to these illiterate foreigners.

Commissioner DREIER: How do you propose to have the men in the vocational schools get the time to attend; is that not deducted from their wage, and if they are not getting enough now how are they going to meet the situation?

Dr. DEAN: I shall be absolutely opposed to any deduction made from their wages while they attend the vocational schools four hours a week. It seems to me that the manufacturer, the employer, owes it to the State, in return you might say for the privilege of employing help, which is dangerous to the State unless he is willing to give that time in order that State rights may be preserved.

By Mr. ELKUS:

Q. Would the manufacturer or the employer be compensated in any increased efficiency by giving his workmen the training in the vocational schools? A. The manufacturers that have tried this work in the last winter in New York in the D. Sicher factory state that there has been an increased efficiency, and in the investigation which was made by Miss Hedges in connection with some Teacher's College work she did, with some private funds furnished for the purpose of making an investigation, she discovered that the employers stated an increase in efficiency due to such work.

Q. Did any of the employees receive increased wages? A. Mr. Elkus asked whether these employees received increased wages. I am personally of the opinion they did not. That is a weakness that has shown up in some of our vocational training. The employer has got the additional efficiency and he has not recognized it always by additional wage. It is interesting to note that these adult people can be taught to read and write in anywhere from thirty to two hundred hours.

Q. Would not the fact that these employees did not receive any additional wages indicate that vocational training in that particular case did not add to their commercial value? A. No, sir; it would indicate to my mind that the manufacturer, or the employer, had not arranged his factory production in such a way that he was capable of recognizing the increased efficiency which came or make any provision for it. We are discovering that the factory organization today is such that individuals get less, and these boys, because there is only a boy here or two, in this vocational work, thrown in with other boys who have not had this training, because the factory organization is such that he is interested in what is called production rather than in the boy. It is to my mind not weakness of vocational training as much as a weakness of factory organization.

Then the second thing which is pressing upon us educationally is this matter of prevocational training for children between the ages of thirteen and sixteen, a type of training that would start in at the end probably of the sixth grade or seventh grade; anyway for boys and girls between thirteen and sixteen years of age, in which about half the day would be given over to some sort of shop work, and about half of the day to some sort of book work, the two touching each other at every possible point. Now this type of training is not trade training, it is to give these boys and girls an idea of different industrial activities, so as to allow them to try themselves out, in order that when they go to work they may go to work more intelligently than at present. There is, as we all know,— I do not suppose I need to emphasize it here this afternoon, a tremendous waste of childhood between the ages of thirteen and sixteen. How great that waste is, is brought out in every investigation, but I do not suppose anyone has yet gone into

it as far as they might to see how tremendous this waste is—a waste in two directions if I may be allowed to criticize our public education, a waste in these upper grammar grades when the education these children have does not appeal to the adolescent years, when it does not appeal to child interest, to that activity, to that desire which children have to do things. An education at that time which fits in almost entirely with the trivial type of education, largely memorizing, book work, touches a line of work pretty much unrelated to the great work outside. That is a time when the boys and girls want to be a part of the great work-a-day world.

Q. Miss Dreier asked you whether the time occupied in these vocational schools should be deducted from the wages, and you said no; what would you do in the case of those workers who worked by the piece? A. That involves a point that is almost beyond me to answer in this short notice, although, of course, we have thought of it a good deal in connection with our work. It has seemed to me that there is where the relationship comes in to the minimum wage, that these people must have at least so much, and if the piece work does not provide that when the time is taken out to give to these vocational schools that you will have to make up that amount. Now the other half of this thirteen to sixteen year old proposition is—I have spoken of what the schools do for many of these children at this age—but the other half of the proposition is what does industry do for these children, between thirteen and sixteen. As near as we can find out industry is not organized to take care, in an educational way, of the needs of these children. I want to speak of that a little later on. Then third is the all-day trade school after sixteen. We have quite a few of those established, and I have no special remarks to make as to that.

Then the fourth, a very large proposition, in which we have made but a poor beginning, and that is the part time day or trade school. I refer to a school where these boys and girls who are sixteen years of age or older work part of the day in the school and part of the day in a factory. In some places they are to work half a day in the school and half a day in the factory; two people laboring, one in school and one in the factory, making the equivalent of one person at work all the time. In other places or cities

it may be half a day a week or in other places one week in the school and one week in the factory—that is the idea—part of the time in the school and part of the time in the factory.

Now this type of work necessarily divides itself into two heads, one in which the school work supplements the work in the factory. If a boy is in a machine shop he can take mathematics, and if in a foundry the general nature of the flow of liquids and the making of cores and mathematics and drawing. That is where the work of the schools supplements the work of the shop.

But there is another great phase, probably a larger phase, which all of us are more or less uncertain how to handle, and that is the type of continuation school work whereby the work in the school cannot supplement what is going on in the shop or in the store, because there is nothing in the work in the shop or store worth supplementing and that is probably the largest proposition. To take a concrete illustration, there may be in Little Falls a textile mill that requires perhaps—and I think I might be quite accurate in saying does not require more than ten young men there to know anything about mathematics or textile design, or the designing of a loom or strength of materials, and those things which would properly come in a trade or technical school, and they may have there 500 young workers who are doing the same thing day in and day out. Now to establish there a day continuation school which provided the instruction, supplementing the daily employment in a way, that is draughting, textile designing, mechanics, strength of materials, etc. would only hit ten young people, perhaps, to a town. Now what shall we do to hit the five hundred young people who are in the textile industry there. The interesting thing, probably, is we ought to try to get them out of that sort of business, and yet how can you expect the employers to give time off to get them out of that sort of thing. We know they are not going to stay in that always, particularly as in some trades they are only there as children, because they are called children's trades, and what we are to do in that case is something I would like to hear someone else explain. We present it to you as a problem. We can readily get the employer to give the time and the wages when the work in the school will benefit the industry and the boys and girls working for him, but when it is

going to benefit the boys and girls alone and educate them away from the industry then it is a much larger and more difficult proposition. That may come out later. Now the last is the evening trade work. We are doing a great deal in this State in that direction. It is where we take usually the older people — these evening schools are made up probably on the average of boys and girls and men and women from about 20 to 22 years of age, which is probably an average, and there the work is both of the general order and of the technical order. Now the thing concerning which I came particularly before this Commission today, and in which I represent Dr. Finlay very specifically is in this question that if the State is to pay people for profitable employment in the industries we must know what profitable employment means. We have vocational schools in this State established. They are doing, I suppose, fairly well. I suppose it is always advisable to start something and then stop a while and look at it and investigate, and then make some modifications and go on, but I believe the time has come, and Dr. Finley feels it, for us to study into what the relationship is between education and industry because if we are to fit people for profitable employment in industries we educators need guidance in what the needs of the industries are, and I would not want to lack emphasis on this — not only what the industries need but what the people in industries need.

The State is already giving aid to vocational education. It supports about 40 per cent. of the instruction given on this subject in the State. The National Government very likely inside of two years is to reimburse all these states now giving state aid. That is New York State will, I think, very likely in five years from now be expending over a million dollars a year for vocational education, and in five years from now I think the United States Government will be reimbursing New York State to the extent of about \$500,000. The Government and the State are interested in this question of vocational education, but we are interested in the question of how we best shall do that.

Q. Why should the U. S. Government reimburse the State? A. For the same reason that the State reimburses localities. A child is not to be disadvantaged by the community in which he happens

to be born. The child, for example, born in the town of Podunk is to receive as fair a chance in his educational work as the boy born in Rochester, so the State steps in and provides special aid for general education. It helps out with considerable State aid now the rural schools. As some people put it, it takes some money from New York City and Buffalo and gives it up-State, but it does have to even up educational opportunities in the State.

Now if you train, for example, a boy as a machinist in Rochester, and he moves afterwards to Buffalo, it is fair for the State to give State aid because we don't know whether the boy is going to live in Rochester or in Buffalo or in New York City. Now the same thing holds true in the question of national aid because these people are moving. I suppose that is one of our necessary evils, the migration of industrial workers all over the country, and so it has become a national problem to the same extent that it became a State problem.

Now our educational department would like to know just what are the specific educational needs of workers, and what are the specific technical needs of industry, and while we are looking into the specific technical need of industry the educator would like to challenge industry to see that it offers a clean bill of health to these young child workers, that this opportunity for educational content within the mill or the store, that is opportunity for advancement, opportunity for increase of wages when increase of efficiency is connected with it — we would like to know about hours, about apprenticeship systems in factories, etc. Then the schools, on the other hand, must be challenged: why don't they hold young people? Will they provide this co-operation between the school and the factory? And the question comes up of all the year round schooling? Are our vacations too many and the hours too short, and one hundred and sixty days a year and the educating process stopping at that 160th day, and then the question of whether this prevocational training affects high school training? Will it affect the junior schools? Will it bring about different types of schools in the same city?

I have here, which is probably the reason of my appearing before this Commission — I have become interested, and Dr. Finlay is very much interested in it also with me and the State Labor

Department, and the United States Department of Labor are interested in this idea of an industrial educational survey, and we have been carrying one on — I say one — I mean the National Association for the Promotion of Education — has been carrying one on in Richmond since last May and it involves the very same points that Dr. Finley would like to see studied out for our own State, and I am going, if I may, to bring out some of the points they want to find out. Now we would like to find out, we educators, about the occupations in certain trades in this State. We would like to find out first what the processes are. I have here before me the findings about the occupations in the metal trades in the city of Richmond, and it takes up the processes of the puddler, and the heater, and the roller, and the iron moulder, and the core maker, and so one. What are these processes? We need this in connection with organizing our courses. Then, second, the importance of the trade in the various localities. For example, there happened to be only eight journeymen used in metal pattern making. Certainly, then in Richmond, there would be no day school training for metal pattern making when there are only eight needed for the industry in the entire city.

Then the conditions of employment. First, those that involve physical or nervous strain. Second, those that stimulate intelligence and honesty. Third, those that narrow or restrict mental development. Fourth, those that in other respects affect the welfare of workers, like liability to accidents, occupational diseases, etc. Surely these vocational schools do not want to fit people for industry if it is to injure them. We must know what we are doing there.

Then the question of wages, the question of hours; then the question of seasonal activities, because if industry is now organized, as we all know, upon the basis of seasonal work, it means that some of our continuation work can come in when the season is dull; it may be that we can fit boys and girls for two trades instead of one, somewhat related to each other, so that they can go from one to the other, depending upon the seasonal occupation of each. Then the trades union end of it should be studied. The age, the years required to learn a trade, what is the source of supply for workmen, and then the findings about education for these people.

These are findings about the occupation. What does the worker need to properly equip him for the trade. And the interesting thing is that in every one of the findings, in every one of them, the first thing found needed by every worker in every trade was a better elementary school education. That came long before vocational training. Then we found out what the need was for trade education. I will read just one — what the brass moulder needs: An elementary school education. A knowledge of the processes and of foundry practice as in iron moulding, metallurgy, and the chemistry of the trade, especially as regards alloys; some shop mathematics and mechanical drawing.

And what is needed in manipulative skill? We find in most cases that can be taught best right in the shop.

Then what the industry gives: Conditions of apprenticeship, and in Richmond right along the line no apprenticeship, no opportunity. Provision made in the shops for systematic instruction — none, none, none, all along the line. Then the provisions made for technical knowledge; provisions made for teaching skill; extent to which the trade can be learned in the shop; provisions made in the shop: Provisions made in the shop for systematic instruction of journeymen as well as apprentices. Then about promotion, and the opinions of these workers. Some ten thousand of them were asked questions, what the school could have given him? What it might have given him? What he would expect of the school if he went again? What he would expect of the vocational school if established?

Now, it seems to me, if I may make bold to say it, that your factory commission has been investigating for some time and it has undoubtedly some facts to present to the Legislature. It has a good many figures and statistics based upon its investigation work. Now, is there no way that that work which you are going to present to the Legislature, this work which you have been doing, this sentiment which you have been arousing — can that not be turned in some way to educational advantage in the State, either by advocating a further investigation along the lines of educational opportunities and the possibility of developing the work in the State, or interpreting what others have done with the same experts to do it; interpreting it so that the educational

forces of the State may have this material in order to do a piece of constructive work and not have this work that you have done die either in the enactment of minimum wage or not—to have it go on into the educational system. I make this plea for this reason, that in Buffalo, Rochester, Schenectady, Troy and New York City and other places in the State private money is being spent, public money is being spent in investigating the educational and industrial opportunities in these various places. It seems to me that it might well be the function of the State to make an investigation along the lines which I have suggested in this chart for about five of the trades which would serve as a basis for local investigation to see how in this general investigation different localities were affected—that is the opportunities of machinists could be analyzed in the State as a whole, and when it came to Schenectady or New York City or Buffalo there would be a little local investigation to see how much change there would be.

Q. Doctor I think as to four trades the Commission has begun that investigation under Dr. Woolston and under your Mr. Wilson? A. Yes, sir. Now my point is to somehow to continue and save up what we have and line it up with the idea to make it of value to the educational forces of the State as well as possibly to the legislative forces.

Mr. ELKUS: Now will you read Dr. Finley's statement?

Dr. DEAN (Reading):

THE NECESSITY FOR AN INDUSTRIAL SURVEY FOR EDUCATIONAL PURPOSES

The State of New York is already committed to the support of education whose object is to fit people for profitable employment in industrial work. It has expressed its willingness to aid any and every agency that really makes for a better citizenship through training that is called vocational. The State Education Department has for several years maintained a Vocational Schools Division under the best expert guidance in this country. And the government of such schools has given intimation that education may, while keeping its disciplinary values, be made

more vital, more serviceable to thousands of communities in which the public schools stand and in which they should be or become the most helpful forces.

But we are not to support any and every school that is or is called vocational, appealing as that word is. Money may be needlessly and so unwisely and wrongfully spent, even for vocational purposes. What we most need to do now is to determine with accuracy in what varying ways the adaptation of such instruction to the higher wants of communities can be made. That means a closer study of individual communities and a comparison of the results of such studies throughout the State.

This involves to a challenging of each industry as to what it has to offer the boy or girl whom it invites into its factory doors,—a challenging to show a clean bill of health with respect to such factors as opportunities for advancement, educational content, wages, hours and hygienic conditions.

What such an educational-industrial study of survey should discover and indicate with some degree of definiteness, is:

First. What type of vocational instruction will best serve this community or that,—for every community must develop in its own best way, which may be different from that of any other.

Second. What specific pre-vocational training rather than specific trade instruction will be most valuable in the guidance of youth between 13 and 16.

Third. Whether there should be a clear differentiation of courses at the end of the sixth grade and so a reorganization of the high school which grows out of that.

Fourth. Whether the part time system of industrial training does not offer the greatest opportunity for usefulness at a minimum of expense in raising the standard of industrial efficiency.

Fifth. How the de-energizing jobs in the shops, jobs which are still necessary, are to be supplemented by that which will offset their enervating effect upon the individual and the community.

These are some of the many questions which need to be answered before we give State aid to new vocational-educational enterprises. And while in all this I am thinking primarily of the boy or girl to be trained, that is of educational methods, such

a survey would incidentally be of value to the industries themselves.

Already hands have been laid upon the schools in the name of industry, of national efficiency. Shall we not lay hands upon industry in the name of the immature child, on the way from dependence to assuming all the responsibilities not only of livelihood but of social obligations.

I hope that this industrial survey will but give basis for a continuing study of the relationship of education to community happiness and well being through industry.

Mr. L. A. WILSON, addressed the Commission.

By Mr. ELKUS:

Q. Will you give your full name, Mr. Wilson? A. Lewis A. Wilson.

Q. And you are connected with the Education Department of the State of New York? A. Yes, sir.

Q. In what capacity? A. Inspector Vocational Schools.

Q. And you were loaned by the Education Department to this Commission? A. Yes, sir.

Q. For the purpose of making an investigation of the value of vocational training and its relationship to wages? A. Yes, sir.

Q. And how long were you engaged at that work? A. About six or eight weeks on part time basis.

Q. Tell us what you did, Mr. Wilson, very briefly? A. The Factory Commission was very anxious to secure, if possible, some definite information concerning the possibility of offering vocational training in so-called unskilled lines of work. They had spent considerable time in investigating the paper box industry, department store work, collar making, candy manufacturing and millinery, and it seemed possible to make some investigation and determine the possibility of offering vocational training to people who entered these particular lines of work. Vocational training to be effective must deal with the conditions that arise in the shop. After considerable discussion we decided to investigate three lines of work: First, the paper box factory which presented

a power machine industry; that is about 90 per cent. of the paper box work is accomplished on machines. Second, we decided to investigate department store work as another distinct type, and lastly the candy manufacturing.

The several investigators who spent about six weeks in investigating these industries will report this afternoon in detail as to their investigations. The investigation of the value of industrial education was carried on by Mr. O'Leary. Mr. O'Leary sent out about 350 questionnaires to people who had completed industrial courses either in the day or evening schools and we found in 90 per cent. of the cases that vocational training had a definite money value. Mr. O'Leary can not be here this afternoon. He is connected with the National Society for the Promotion of Industrial Education, and he is at Washington doing some work for the department. We found that the men who had completed vocational evening courses, had increased their salaries, running from five to fifteen or eighteen dollars.

Q. You mean an increase of from five to eighteen. A. From five to eighteen dollars.

Q. How much vocational training had they received? A. From one to three years.

By Commissioner DREIER:

Q. In what lines? A. Machine shop work; pattern making; carpentry; forging, that is, power forging, and terra cotta work.

Q. All skilled trades? A. All skilled trades. There are no vocational courses offered for non-skilled workers. These men were very emphatic in their statements that the vocational courses were of definite value to them. They said that the work that they received in the school, either in shop extension work, work on machines or shop mathematics or drawing was directly connected with their increase in salary.

We also made an investigation to determine, if possible, the possibility of offering vocational training for people engaged in the so-called non-skilled industries. There are three distinct types of industrial training. One which offers general industrial intelligence, that is, one that trains men to appreciate certain general industrial facts. Men must know something about safety; men must know something about factory conditions; they must

know something about materials; they must know something about fire prevention and factory laws and liability insurance. Second, there is a demand for industrial skill, hand skill, and lastly, a demand for industrial appreciation. I really believe that a large per cent. of the unrest is caused by a lack of industrial appreciation. Our industries are so highly specialized that a man feels lost and cannot appreciate his connection with the trade as a whole, and if he can give these men some definite training as to the possibility of their work, as to the future in their work, they will be much better workmen. We find in our vocational schools that the man who is a plumber wants his son to become a machinist and the machinist wants his son to be an electrician, and the electrician wants his son to be a carpenter. They seem to be dissatisfied with their work, and if we can teach them to take an interest in their own trade it will do much to dissipate the unrest there is today.

By Mr. ELKUS:

Q. That applies to the skilled trades; how about the unskilled ones? A. There are no vocational courses offered in the unskilled trades.

Q. Will vocational training be useful in the unskilled trades? A. Undoubtedly.

Q. In what way? A. In the first place it will increase the general intelligence of the men.

Q. Is it of any service, or rather isn't its greatest service in taking the men out of the unskilled trades and putting them into skilled trades? A. Eventually it will become selective and take the men best fitted for the trades and the men unskilled — that is, vocational training is largely selective.

Q. Then vocational training is going to help the unskilled worker in that particular trade, if he stays there, in the matter of increasing his wages? A. It will in this respect: it will increase his efficiency. The overhead charge in the average factory is enormous and if we can increase the efficiency of the worker to a certain extent that we can cut down the overhead charge the men will be able to earn more money.

Q. In that way only? A. In that way only, I believe.

Q. That is, you get a better trained body of unskilled workmen they won't need so much watching? A. Yes, sir, and that is also true in our larger factories, in our skilled factories.

Q. That would be true among skilled trades too? A. Yes, sir, the skilled trade today is overrated. It is so subdivided today it is not a skilled trade. I do not believe I have anything further to add, except that the people who made these investigations will discuss them this afternoon.

Mr. ELKUS: I want to read a telegram I have just received:

"ALBANY, N. Y., Dec. 1, 1914.

"HON. ABRAM I. ELKUS OR HON. ROBERT F. WAGNER, 170 Broadway, New York:

"All Assistant Commissioners and several heads of divisions and members of staff absent today in various parts of State, two representatives at your hearing for this reason added to others makes it imperative that I should be here. Regret that I cannot be present to read brief paper which I prepared and forwarded to you. Doctor Dean will tell you how much appreciative we are of your great work and how desirous of carrying forward an educational industrial survey in this State.

"JOHN H. FINLEY."

Mrs. IRIS PROUTY O'LEARY addressed the Commission.

By Mr. ELKUS:

Q. Mrs. O'Leary what is your occupation? A. I am expert assistant for vocational education in the State of New Jersey, I have charge of women's vocational work.

Q. How long have you been in that position? A. I have been in that position since October.

Q. October of last year? A. October of this year. I was in charge of a girls' vocational school previous to this time.

Q. Mrs. O'Leary, were you retained by this Commission to make an investigation? A. I was.

Q. And when and for how long were you engaged at the work? A. I was retained during July and August for the purpose of making the investigation and writing this report.

Q. With reference to what in particular? A. With reference to the possibility of vocational training for the employees of the department stores.

Q. Only of the department stores? A. Of the department stores.

Q. Throughout the State of New York? A. It was confined to New York City.

Q. Now will you tell us just what you did in general and what you found; what conditions you found and what facts you found and your opinion upon the facts? A. I will be very glad to do so.

In defining the scope of this report, I would like to state that during the two months, July and August, when I made the investigation for the New York State Factory Commission, I was concerned with the possibility of vocational training for department store employees, and if I may be permitted I would like to emphasize that the possibility of vocational training is an entirely different question from the desirability of vocational training, the necessity of vocational training or how vocational training might be given. These are all important questions, but are outside the scope of this report. Furthermore, I would like to add that anything that has to do with the efficiency of the employees must take into consideration three factors: the first is the question of health. This may be dependent upon housing, sanitation, food, recreation, conditions of employment, and while I recognize that these are questions of the utmost importance, I wish to say that they are questions entirely outside of the scope of my report. They are questions with which I did not concern myself. The second factor, in the efficiency of the employee is the relation between employer and employee, and this is another important question which I recognize, but I would say, that throughout my investigation I think I consistently maintained the position that I was not concerned with the personal affairs of the department store; that any information as to wage, hours, working conditions, was none of my business and any evidence in regard to this would embarrass me very much. I know the importance of this in relation to the efficiency of the employee, but it was outside of the province of the report which I was making. The third factor in the efficiency of the employee is the content

of the job. This content may be manipulative skill or technical knowledge and that is the question with which I was concerned, I was vitally concerned.

Now any investigation which is to be made inside of two months, and a report written, cannot go into details to the extent which might be possible in a longer time, and which might be desirable, for that reason I am very insistent in confining my report to territory which it was possible for me to cover.

Now one of the first things that we have to consider is the extent of the field. It is a large field. I think perhaps none of us realize until we get into it just how large this field is. When we consider that the number of department stores in New York and Brooklyn were given me as 98 and that a single large store often has on its payroll between 3,500 and 4,000 persons, we begin to realize that it is a pretty big problem.

In considering the extent of the field there is another point to be recognized, and that is, that we usually regard the training for service in a department store as merely a question of training for salesmanship. Now I think we will find that only about 50 per cent. of the employees of the department store are engaged in selling, and are in positions which enable them to come into intimate contact with the public. This means that there are in the store a great variety of employments open to a man or woman in which there is no contact with the public, and the man or woman, boy or girl who has not the personality for a selling job is not debarred from service in the department store. There are opportunities in the auditing department and in various kinds of clerical work for women. This is clerical work of a degree less skilled than that which requires an expert bookkeeper or expert stenographer. There are opportunities for men and boys who desire outside work in the delivery department. The chauffeurs and drivers are a definite field of employment, as also are the packing, receiving and shipping rooms. Few of us realize the opportunities for employment in the department store and few of us realize the variety of employments. I am cutting out from this report the electricians, plumbers, milliners, packers, carpenters, dressmakers, and the elevator men — all employments which include representatives of distinct trades, for I felt that their training might best be treated under an analysis of the trade

itself rather than to be included here or to give to them a part of the limited time I had for this investigation. So you might say the field for employment in the department store is large.

Now there is another thing to be considered, and that is that in some industries employment is restricted by sex. Of course we have a few men dressmakers who are earning large wages, and we may here and there have a woman carpenter, but when we come to consider them as trades we consider them as trades in which sex is a factor determining employment. This is not so in the department store. There are openings for both the boys and the girls.

The source from which the department store obtains its workers should be considered. Workers in the department stores may be classed as juniors and adults. The juniors are recruited largely from the boys and girls who leave school as soon as they can get their working papers and go into the department store, sometimes in answer to advertisements for "help wanted," as messenger, cashier, etc. Many adult employees are recruited from the most competent of the junior force. Also they are to a limited extent recruited from the employees of the five and ten cent store. I would say right here that employment in the five and ten cent store is not regarded as altogether desirable training. There are certain departments in the store where a smaller degree of salesmanship is required, where the boy or girl can go from this preliminary experience. I might diverge and say the experience in the five and ten cent store is peculiar. While very little selling ability is required, the merchandise is all displayed, still there is the responsibility of the whole transaction. One person must do the selling, make the change, wrap and deliver the parcel. When you come into the department store you come into a more specialized industry. The neighborhood store is another source of supply for the larger department store. This is regarded by some superintendents as an extremely valuable training. The employment in the neighborhood store brings the employee into more personal contact with the customer. There personality is often a large factor in making the sale, and this gives the training a more human element. There is not the feeling of irresponsibility which a saleswoman has in

selling a card of buttons to a customer she will not recognize again. In the neighborhood store the saleswomen's manner in making the sale may influence the return of the customer. This certainly is not as personal a factor in the large department store.

There is also in the department store the mature applicant for employment whose lack of experience, is perhaps offset by some other quality. I will say one thing which I omitted, and that is certain factors in salesmanship have been omitted from this report, and that is the abstract virtues of courtesy, honesty, promptness, etc., these are necessarily omitted from the concrete statement of the content of the occupation. It is also recognized that the ability to sell goods is both a gift and an art, and that this can not always be imparted to a person no matter how desirous they are to learn. Now the report was not vitally concerned with the need of training, still there are certain indications of this need which might be briefly stated.

First of all the employers say that while for the low grade positions they have only to select from the large number of applicants when it comes to filling the high grade positions in the selling force and the more responsible positions throughout the store it is extremely difficult to find the men and women with the necessary qualifications for these positions. Now if the minor positions are easily filled, and the positions of responsibility are more difficult to fill, this discrepancy between the number who enter the industry and those who are qualified for promotion would call for serious consideration and would indicate a need for training.

The analysis of the industry also shows that the content of the low grade job is small. The high grade positions have a much larger content. The normal method of promotion in the department store, is from the low grade job, what we might call the elementary, the beginners' position through successive steps in the industry to the high grade job which involves more responsibility. Now the promotion necessitates in every case the mastering of the content of the job ahead and if promotion depends upon this mastering of the content of the job it is necessary that in some way this additional information be made accessible to the employee. I think we can consider this a second indication of

the necessity for the training of the department store employee and I am not going into that question any further.

Now, does the opportunity for the training exist, or will it be asking for something which would necessitate a reorganization of the business? I think we will find that in every department store there is a certain amount of what we might call "dull time". It is stated differently among the stores but generally recognized as the first two hours in the morning — I think I found only one store which stated they had no dull time. One store told me that they were not busy until noon.

Now between the number of employees that can take care of the trade during what I have called the dull time, and the number who are required to wait upon the customers during the rush hours there is a great difference. In only a few instances did I find that the store employed an extra force during the afternoon. Of course we must recognize there is other work required of the sales person than the mere giving out of the goods, the mere serving of the customer. There is for instance the keeping of the stock in order which requires much of this "dull time," but there still remains a margin of time which might be utilized, and in many cases is used, for purposes of instructions. By arranging a shift between the employees of the departments it would be impossible to release sections at different times. I found that most employers agreed to this, and I found, furthermore, it was being done in certain cases. For instance section A might be composed of ten girls selected from different departments and they could be instructed on Monday and Wednesdays from nine to half after ten. Section B might be composed of other girls from sections or departments that could be instructed on Tuesday and Thursday.

Q. Instructed in what? A. Instructed in whatever was found necessary for their efficiency.

Q. Would that add to their wages? A. As I said, the question of increase in wage I considered outside of the scope of this report. I was concerned with the possibility of training.

Q. Then they would be trained in simply making them more efficient employees? A. There are a great many things that go into the efficiency of the employee.

Q. Now, outside of your report Mrs. O'Leary, you have a great deal of knowledge upon this whole subject? A. Yes.

Q. What is your opinion as to whether or not the increased efficiency gathered from training would increase the wages of these girls or men in the department stores? A. Any answer that I might give to that would be my personal opinion and would not be the result of my investigation.

Q. That is what I am asking you for? A. I would say, that where the selling of goods is on a percentage basis any increase in efficiency would quickly bring returns in increase of percentage.

Q. How about where they are on wages? A. As I say, that was outside of the province of my investigation.

Q. I want your opinion? A. My opinion is a personal matter and not based on sufficient evidence to make it worth while. I have many interesting instances of promotion due to increased efficiency. I have also found many interesting instances of increases in wages, but evidence to be convincing must be produced in large quantities and I spent no time in collecting this evidence I will cite, if you wish an interesting incident of one man in the delivery department of a Brooklyn store — he had a five dollar increase. He is drawing five dollars extra a week above any other employee in the department because he has the tact and is on sufficiently good terms with the customers on his route to be able to suggest to them the things which the store carries and which would be to their advantage to buy. Now this, of course, is a dangerous gift in some ways. The housekeeper might regard it as an impertinence for some deliverymen to suggest purchases. This particular employee makes so many sales while delivering goods that the firm have increased his wages \$5 a week. I found many different instances and found them interesting.

Now one thing we have to distinguish between is the training for efficiency and the training which is welfare work. I was not concerned with training which I found to be welfare work. I was only concerned with training which lead to increased efficiency of the employee. Any proposed increase in remuneration, whether it is in the professions or in industry is always hampered by the presence of a large body of average workers. The fact that these average workers constitute the majority, I think should

make them the group on which any definite attempt at training should be centered. The existing methods of training I will not take your time at present to discuss. I will say that there are a number in existence at the present time, but the existing methods of training are not at all adequate to need. I think they are experiments all hoping to lead sometime to a solution of this very interesting problem. Doctor Dean has taken up the question of the analysis of the industries in the shops as it was cited in the Richmond survey. The body of this report is devoted to the analysis of the different departments of the store into jobs, the comparison of job No. 1 with job No. 2 and of Job No. 2 with job No. 3 to show the difference in content. Now if I should go into that detail sufficient to be illuminating it would take me the rest of the afternoon and I will spare you. If there are any questions to ask in regard to this analysis I would be very glad to answer. I would like to state that there are many different ways of organizing the department as there are department stores and any analysis which I have made could only be called illustrative. I think perhaps I will finish this by giving you the conclusions I came to in this report as a result of this investigation.

First, this report finds that there is need for vocational training in the department stores. The difficulty of securing competent workers, the lack of those properly qualified for promotion and the special knowledge required for efficiency in various occupations indicates that this need exists.

Second, there is a wide field for this kind of training, as shown by the number of employees and the variety of occupations in the business.

Third, the industry largely depends for its new workers upon the untrained boy and girl who leaves the school between fourteen and sixteen years of age.

Fourth, store organization is such that there are opportunities to give the necessary training.

Fifth, while there are now schemes of training in operation they are confined to relatively few occupations and have not yet been developed to the point where they fully meet the needs of the industry.

Sixth, very little information is available as to the value of the training in terms of increased wage or promotion. Such data as

could be obtained is given in the appendix of this report (and I would say that the lack of this data may be due to the fact that no one has kept any records of it, as far as I can find; that it is an aspect of the situation that has not seemed to appeal to the statistician).

Seventh, promotion is common in the business and is normally through successive steps or occupations within each department.

Eighth, the analysis of the business into departments and occupations shows that in each type of employment there is a certain distinct content of knowledge or manipulative skill or both by which training can be given. In certain places this content of knowledge is considerable and must be acquired by the efficient employee. I will also read you the recommendations with which I close the report. They are:

First, that training for department store service be conducted on a part time or continuation basis.

Second, that for the present this instruction be organized as trade extension rather than trade preparatory training, the possibilities of the latter being limited.

Third, that the fundamental aim of the training for an increased vocational efficiency of the worker is that the instruction be specific, supplementing the employment in the store, and not general in character.

Fourth, that the training be carried on in the store or in some place in conjunction with the store, where the necessary business atmosphere can be secured.

Fifth, that schemes of training should first be planned to meet the needs of the average worker and later extended to other employees.

Sixth, that any plan of training should be preceded by a careful and comprehensive analysis of the industries for the purpose of determining the content of each occupation and its factors of efficiency. This analysis might well be undertaken by some responsible organization closely associated with the business.

Seventh, whenever possible such resources as already exist should be utilized for the purpose of this training before other measures are adopted. Suggestions concerning such resources are given in the appendix of this report.

Mr. ROBERT J. LEONARD, addressed the Commission.

By Mr. SHIENTAG:

Q. What is your business? A. Professor of Industrial Education in Indiana University.

Q. You conducted an investigation for the commission on the possibility and value of vocational training in the paper box industry? A. I did.

Q. Will you tell us, briefly what you did and give us your findings and recommendations? A. The purpose of the investigation in which I had a part was to determine whether or not any provision for vocational training other than that offered within the trade of paper box making was either feasible or advisable. The question of the probable wage increase apt to result from vocational training was not studied in great detail owing to the limited amount of time at our disposal. The investigation occupied a portion of the month of June, the whole of July and a portion of the month of August. In scope, the study of the paper box industry included five lines, the solid box industry, the folding box industry, the manufacture of card board cases and containers, the manufacture of jewelry cases and the manufacture of filing cases and envelopes. During the period of the investigation data was obtained from factories employing approximately 1,500 workers, being divided in sex approximately one thousand females and approximately five hundred males, or the ratio of two females to one male. Concerning the sources of the data, we relied in the main upon factory visits and conferences with employers and employees. During the course of the investigation we visited 15 paper box factories and thus obtained data concerning the factory organization, what each person in the factory was actually engaged in doing at the time of the visit, what machines were actually used by each operator during his working day or working week. We obtained data concerning the order systems, or the manufacturing orders as they reached the various workmen. You see the essential factor there involved was to find out the working directions given the operators, and in finding out the form and content of the orders we discovered the knowledge and skill required. We obtained data concerning the various processes of manufacture, the machines in use, etc. Also how beginners

actually enter the industry. Also personal histories, from many mature employees. The data obtained from beginners and from personal histories enabled us to determine the possible lines of promotions and the generally accepted grooves and channels within the industry. We also obtained data from interviews with foremen and owners and manufacturers of paper boxes. We found out from such interviews how employees were hired; we found out the trade tendencies, such as the possibilities for continuation and enlargement and extension of the business, as well as the possibilities for radical changes by the invention of new machines and the introduction of new processes and materials, etc. This information was, of course, essential for purposes of vocational education, for if any great modifications were to come by reason of the introduction of machines, revolutionizing the process of manufacture any proposed system of vocational training would be antedated when such changes occurred.

We obtained opinions concerning the advisability of vocational training from all of the manufacturers and employers interviewed. From employees we obtained information concerning their personal histories, how long they had been employed in the trade, the successive steps in the process of promotion and so forth. A very valuable source of information was the machine catalogues making possible an analysis of the working parts of each machine and a comparison of various trade makes enabling us to determine whether skill in operating one would condition efficiency in operating another machine made by a different company. The manufacturers of paper box machinery were also consulted with great profit. In the final analysis, the methods used in the manufacture of paper boxes are determined by the companies which manufactured the machine and the machine designers. If a certain machinery company designs and builds a machine which will simplify the process and eliminate difficulties, then that machinery will be adopted and the business be revolutionized to the extent that this machine is different from others formerly used.

We obtained information from want ads. We thus found out from that, the lines in the industry in which there was the greatest change in workers, the shifting, going and coming and so on.

As I have already suggested, the investigation concerned five

different lines of box manufacturing. The major portion of time was spent in studying the manufacture of solid boxes. In simple terms a solid box is one which leaves the factory already set up and ready to receive whatever it was designed for without any further adjustment. We visited ten solid box factories, employing 913 employes, 245 males and 668 females. The solid box industry is largely an unskilled industry, females being employed at the ratio of three to one. With the new machines and processes that will be introduced in years to come in the paper box industry more females will be employed and fewer males, and anything said in reference to the elements which are essential in trade education may not hold in the future and will be less essential for female workers on account of new and automatic machines which the manufacturers will install. In other words the industry will be more of an unskilled one than it is today. All the conditions seem to point to the use of more automatic machines, making it more unskilled rather than less unskilled and this will hold true of all of the five lines I have indicated.

In the manufacture of solid boxes, a typical factory is divided in four different departments; cardboard cutting and scoring for preparing the cardboard blank, the department for cutting the wrapping paper, etc.; the department for erecting the cardboard blank after it is scored by bending, corner staying, etc., and then the department for papering the erected blank.

In the cardboard cutting and scoring department the work is largely done by males and possibly 61 out of every thousand employes in the industry, work in this department. In the paper cutting department 86 out of each thousand are employed and this is limited to males. In the older box factories males are largely employed in the erecting department but with the newer methods females will be employed largely; about 16 per 1000 are here employed. In the paper department the work is largely limited to females, in fact almost exclusively limited to females and there we find the greater bulk employed, the number per thousand being 702. This is where the great bulk of females are employed and this is the portion of the industry that is the most unskilled. Portions of it are to some extent skilled, but defining skill as requiring knowledge of any of the fundamental sciences including mathe-

matics, or physics, or chemistry or any phase of art or selective judgment on the part of the worker, the work in the papering department is unskilled, depending for success upon the acquiring of certain manipulative habits which will result within two or three weeks work within the department.

Q. And it is in that department in which the low wages described by Dr. Woolston this morning occurred? A. Yes, sir.

Q. Won't you confine yourself particularly to that department and tell the Commission what the opportunities for vocational training are in that department and to what extent vocational training would contribute to an increase in efficiency and a raising in the wages? A. The detailed report recommends that for those within the cardboard cutting and scoring department that part time short unit courses be offered because there are elements of science and design for which the trade does not make provision. These departments employ males 61 per thousand. Two short unit courses are recommended in the detail report. In the paper cutting department there are certain elements of science required and the courses should include mathematics, elements of computing, addition, subtraction, multiplication, division, use of fractions and matters of technical detail. The number of males is 86 per one thousand. In the erecting department there are few elements of knowledge required and elements of skill necessary are adequately provided for in the trade, so no education is recommended.

In the papering department, if I may summarize first and then go into detail, no provision for vocational training is required. According to the present standard of trade, as there are few elements of judgment involved, no elements of rudimentary science, no elements of mathematics, few elements of initiative, and a minimum of anything save endurance and speed to which vocational education, of course, can make no contribution.

Q. Did you inquire with reference to the paper department what proportion of the workers knew how to read and write the English language? A. I made no such investigation. The Commission itself, I believe, has information concerning these facts.

Q. Is it your conclusion then that vocational education would accomplish nothing for the workers in the papering department?

A. In the papering department, in the paper box industry, as the industry is now organized, no scheme of vocational training I think will increase wage earning at all for the great bulk of the workers. For exceptional workers, for women who may become forewomen, the case is somewhat different, but the opportunities for this promotion are relatively few. Perhaps some trained women might achieve promotion in becoming a forelady, but that opportunity is one in a thousand. In the main the foreladies are drawn from an entirely different class of people. They are chosen from among those who have some education rather than from those who have continued long in the ranks, and for obvious reasons. In all probability in the main the women from the ranks are so unfit physically and mentally and of such poor general calibre, as far as their physical and mental equipment is concerned, that they are not stable material for foreladies.

Q. So there is as a practical proposition no opportunity for advancement? A. As the industry is now organized, I see no possibility for advancement for those within the papering department. There is no reason why the industry should be organized as it is. During the investigation we found one or two factories with an entirely different system of organization. In these factories there was opportunity for advancement, but the chances are that for years to come the newer type of organization will not apply in a large way in the industry.

Commissioner DREIER: Do you believe the industry could be so organized as to give greater opportunities for the laborers in it?

Mr. LEONARD: I do.

Q. In what way? A. I will have to describe the typical organization in brief and then indicate how the organization could be changed in order to make these larger opportunities. The typical papering department in a paper box factory is organized into five different grooves and channels and between these different grooves or channels representing departments there are invisible walls. A beginner, purely by chance, enters one of these channels. The superintendent picks the one that is handy regardless of age or adaptability for the kind of work at

hand. Employers, in the main, exhibit no scientific methods in determining who shall go into this work or that. Purely by the elements of chance the worker enters one of these five lines in the department, and the permanent wall, although invisible, surrounds her, and she is able only to reach the terminal point within the line. Now the qualities required for success within these various lines are entirely different.

These departments as factories are now organized, comprise the work of stripping, which includes at first turning in, turning over the paper on the inside of the box, then finally stripping on the stripping machines. Probably 15 per cent. of the women are employed in stripping. Another line is top and bottom labeling, which is merely applying with adhesive, the top or bottom label to the box. Another line is table working, which is a hand operation, applying the laces, decorative strips or any particular trade label that can not be put on by machines. Another is gum table work, which involves feeding a label through an automatic gum machine and then applying them to the box by hand. Another line is the machine wrapper, the wrapping machine being an invention which takes the places of stripping. The wrapper is cut and run through a gluing machine and then the wrapping machine automatically attaches it to the box and finishes it completely, without any further work on the part of the operator. These are the five lines or channels.

Without consideration being given to the adaptability of individuals, they are placed in one of these lines. Now the qualities conditioning success in any one of these grooves are entirely different. In machine wrapping women are required who can quickly acquire automatic habits. If they can acquire these habits they can earn a decent and respectable wage because they can keep the machine running at maximum speed with no waste. In table working the qualities required are entirely different. Here it is necessary for women to have some judgment, some information as to color, and some knowledge as to rudimentary design, because there are opportunities here for initiative and selection. Now it is altogether possible that there are many table workers who are not earning a living wage who ought to be in the machine wrapping department where perhaps they could

earn a decent wage, whereas they may not have the necessary judgment in order to be a good table worker.

In the typical organization I have just described, a beginner enters the factory as a floor worker and then by chance enters one of these five departments, regardless of particular fitness. In one unique paper box factory in this State a factory which is on a paying and practical basis, workers are placed in a sample making department. Within most box factories sample boxes have to be made, because on ordering a new style of box a purchaser wishes a sample. Now within this sample making department these various forms of occupations are present in type, and in this paper box factory beginning workers are given the opportunity of selecting and choosing their work and passing from department to department till a well rounded experience in all lines is gained. Then the worker is placed permanently in the line in which she has shown the greatest ability, and in which she can make the highest wage. There you see you have the first element of scientific application in the paper box industry, in putting the workers in the lines in which there will be some possibility of success.

Nearly every paper box factory could be organized so that beginners could obtain a well rounded experience for purposes of real vocational guidance in determining the aptitude of prospective paper box makers and the lines in which they should be placed.

Q. Would that materially help the great mass of unskilled workers in the paper box trades; there is very little opportunity for them elsewhere, isn't there? A. It would place them in the department where their realization would be the greatest, where they could do the best work and obtain the highest wage.

Q. But there is very little opportunity because of the small number of workers in the departments? A. There are these five lines and in New York State there are several thousand people in each one of these five different lines in the paper box industry and the proper placing of the individual is a prime factor, and that is entirely ignored.

Q. We would like to have, if you have completed them, your summaries as to the wage value of any system of vocational

training in the paper box industry? A. Considering the wage value of vocational training in the paper box industry, in the card board cutting department, vocational training would probably result in increased wages. In the paper cutting department there would be all probability be an increased wage following vocational training of the right sort. In the erecting department I think there would be no increased wage value with any sort of vocational training. In the papering department, as now organized, I think there would be no increased wage with vocational training.

Q. Do you see any possibility of raising wages in the paper box industry? A. I see no possibility of raising it without a minimum wage law which compels higher wages.

The Commission then adjourned to meet on Wednesday, December 2d, at 10:30 a. m.

HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATING COMMISSION, HELD IN
ROOM OF TRIAL TERM, PART XVII, OF
THE SUPREME COURT, COUNTY
COURT HOUSE, NEW YORK
CITY, WEDNESDAY, DE-
CEMBER 2nd, AT
10.30 A. M.

Present.—HON. ROBERT F. WAGNER.
HON. ALFRED E. SMITH.
HON. SAMUEL GOMPERS.
MISS MARY E. DREIER.
HON. LAURENCE M. D. MCGUIRE.

Appearances:

HON. ABRAM I. ELKUS, *Chief Counsel.*
MR. BERNARD L. SHIENTAG, *Assistant Counsel.*

MISS ESTHER PACKARD, addressed the Commission.

By MR. ELKUS:

Q. Were you employed by the Commission and if so, in what capacity? A. I was employed as special agent or investigator for the Commission from the 15th of September, 1913, and worked during the main part of the year until the 15th of June, 1914.

Q. Before that you had also done work for the Commission, had you not? A. Yes, during the spring of 1912 I made a special study among the girls in Buffalo during the strike of the department store clerks.

Q. These girls were employed in the department stores in Buffalo? A. They were, yes.

Q. Now will you tell us something about yourself and show your qualifications for the work you have done. A. I am a graduate of Smith College and secured by master's degree in social economy at Columbia University.

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Q. Did you get a degree from Smith? A. B. A.

Q. Bachelor of arts? A. Yes, sir.

Q. Then you studied in the School of Philanthropy? A. Yes, sir, and secured my master's degree in social economy at Columbia University. This is my fourth year in social work. As assistant secretary of the New York City Consumers' League I have made several investigations into conditions of work in various industries. For two years I have inspected hundreds of shops under the control of the Joint Board of Sanitary Control in the dress and waist, cloak and suit industries.

Q. Now beginning with your work in September of 1913, when I think you said you began, what were your instructions? A. My special work was to gather budgets from girls working in department stores and factories in order to find out exactly what was spent for different things and to find exactly how girls lived on the wages which they were receiving.

Q. And will you tell the Commission how you went about getting that information, what you did? A. The girls were chosen quite at random from working girls' homes, through settlements and through church clubs. They were also taken from the payrolls of department stores and factories investigated by the Commission.

Q. That is you took names at random from the payrolls? A. Yes, sir.

Q. And how did you get in touch with those girls whose names you took from the payrolls? A. I saw them both at their work places and also at their homes.

Q. That is you got this information personally by visiting with them and talking with them? A. Personally.

Q. It is not second-hand information? A. No, sir; not at all.

Q. It is all first hand? A. Every one of these girls I have personally seen.

Q. How many girls did you talk with altogether? A. I have interviewed some 300 girls working in the department stores and factories of New York City, Buffalo, Niagara Falls, Rochester and Syracuse.

Q. How many in each place if you can remember? A. About one hundred and fifteen in New York City and about 200 up-State.

Q. Now, were these girls you talked with fair examples of the girls who work in factories and retail drygoods? A. They were quite typical of the working girl and quite representative.

Q. And I suppose you endeavored to get representative types? A. To get the typical girl.

Q. Now, Miss Packard, I think I can let you go ahead in your own way and tell what the results of your investigations are; I think you have divided the results of your work under certain classifications, but just go ahead and tell what you actually did and what these girls actually told you. A. As I said, I have interviewed some three hundred girls working in the department stores and factories in New York City, Buffalo, Niagara Falls, Rochester and Syracuse. I have gathered from these girls their detailed accounts of their expenditures, and have learned exactly what their living conditions were. The question which the public most often asks when it hears of girls living on five, six and seven dollars a week is, "How do these girls manage; in what mysterious way do they stretch a less than a living wage into a living one?" These 300 budgets have answered this question. Although the number is perhaps not large enough for statistical purposes, it is large enough and representative enough to throw light upon the statistics already gathered and to show just what a low wage actually means to a girl. The fact most strikingly brought out by this study is that on less than a living wage, one or another item, considered essential in every normal person's budget, is either considerably reduced or dropped entirely. Mary A. economizes in one way; Hilda B. in another. If Mary A's expenditure for rent was sufficient, her expenditure for clothes was not. If Hilda B. wanted pleasure in her life, she had to economize on food. If Jennie C. allowed for savings, her rent bill was below par. But taking the various items of food, rent, clothing, pleasure and savings, these 300 budgets show that every one of the girls interviewed was obliged to sacrifice one of these essential in order to make both ends meet.

Take the first girl who must economize on food — the girl who must cut down on her food supply. Several girls told me that if they were paying a regular sum for board, say for four or five dollars a week, they never could get along in the world. It was

only by being able to cut down on food when they needed to that they were able to manage at all. The detailed account of their expenditures proves this to be true, for the amount spent for food varies often from \$3 and \$3.50 a week to \$1.20.

Q. A week? A. A week! Miss G. W. is a clerk in a five and ten cent store, getting \$6.50 a week.

Q. These are actual cases? A. These are actual girls whom I have interviewed.

Q. You are not giving their correct names, of course? A. Either incorrect names or initials, but they are actual girls whom I have interviewed. Miss G. W. lives in a furnished room for which she pays three dollars a week. In addition to the scant furniture which usually goes with a furnished room, bed linen and kitchen utensils and a little two burner gas stove are supplied. Miss G. W. gets her dinners out at noon, paying usually fifteen or twenty cents for the hot meal. Her breakfasts and suppers she cooks herself on her little two burner gas stove. These two meals a day or fourteen meals a week do not cost her more than one dollar a week. "They can't cost more because I simply haven't got it to pay," she said.

Q. Were you in her home? A. I was in her home, yes. Her brother, who lives on a farm, sends her fresh eggs and potatoes. These seem to form her "pièce de resistance." The dollar a week, which she allows herself for food, keeps her supplied with salt, and bread, and butter, and a few cheap vegetables. Meat she can afford only once a week, on Sundays. "But of course," she added, "when I have to pay for a pair of shoes or something like that I don't buy meat for weeks at a time."

Another girl of twenty-two was sick last winter and absent from work for a week. The doctor pronounced it a case of general anemia. "Worn out" and "exhausted" were the words which he used. Her story, later learned in detail, was a sufficient explanation of this breakdown. She is a clerk in a department store getting six dollars a week.

Q. Do you remember in what city? A. Rochester. She pays two dollars for a furnished room. That bill has to be met every week. Then twenty-five cents a month comes out of her pay envelope for the store benefit fund. This also is regular and cannot be cut down. As she is a clerk she has to dress reasonably

well in order to keep her job. Clothes to the department store clerk are as much a part of her business as her courteous manner. As this girl herself said, "If I didn't spend a \$1.25 a week on clothes they'd fire me sure." So food is the only thing left on which she can economize. By experience she has found out that breakfast is the easiest meal for her to go without. She cannot possibly afford to have all three meals a day, so she never eats any breakfast. Fifteen or twenty cents is the highest amount she ever spends for lunch or dinner. "You know sometimes," she added, "I just long for a good thirty-cent meal, but I haven't the price of it in my pocketbook, so what can I do? I get so tired of those twenty-cent dinners year in and year out that sometimes I feel I would rather not eat at all."

Mrs. S. H. is another clerk in the pattern department of an up-State store getting six dollars a week.

Q. What is she, a widow? A. Yes. Two and one-half years ago her husband died and ever since then she has had the support not only of herself but of her boy, who is now about 4½ years old. She lives with a private family who are unusually good to her, charging only \$3.50 a week for board and room for both herself and the boy. The landlady always reduces the weekly board when Mrs. H. is away for any meal, so quite naturally Mrs. H. tries to be away for as many meals as she can. She very reluctantly and quite hesitatingly admitted that she systematically dropped in on friends just at dinner time, so that they would ask her to share in the meal. "I feel awfully cheeky and I hate to do it," she said, "but I figure it out that I will either have to do that or else ask for help from charity."

This dependence upon friends for food is regularly counted upon by girls, some of whom were frank enough to admit it. One girl has a very novel method of economizing. In going over her budget I asked her how much she spent for breakfast, lunch and dinner, how much for rent and clothes and incidentals, etc., and found in totaling the weekly sum that it exceeded by some fifty or seventy-five cents her weekly income. I called this to her attention and she responded very quickly, "Oh, but you see I have a gentleman friend." Upon questioning her further it was found that this "gentleman friend" called upon her two or three times every week. Whenever she knew that he was coming she

either went without dinner entirely, or else had only a cup of tea and a little bread and butter and then relied upon his treat of an ice cream soda or candy, etc., to make up for the meal. Sunday dinner she always counted upon him for. "I get one square meal a week anyway," she said, and then added most sympathetically, "Gee! but I feel sorry for the girls who haven't got a steady."

One very common method of economy is to reduce the cost of living quarters. This can be done in a number of ways, either by living in a small single room, or by sacrificing privacy and clubbing together, or residing in one of the subsidised homes for working girls. One very common method, of course, is to reduce the cost of living quarters by living in a single room. Those who have never had the experience of living in one room in a cheap lodging or boarding house can never really know what it means to be wholly confined to one room — to come home from nine or ten hours of work to a small dark bedroom, to sleep and perhaps eat, wash out ones clothes and entertain ones friends all in the same cramped quarters. And yet there are thousands of working girls whose life is bound by just such narrow dimensions, who go daily from the factory or department store to the hall room and from the hall bedroom back again to the factory.

Mrs. N. is a young widow clerking at the jewelry counter and getting six dollars a week.

Q. What city? A. Buffalo. "A young girl couldn't live where I do," she said, "but I am married so I feel safe." She rents a cheap room in the lodging house section of Buffalo. The district is not yet known as the real red light district, but, as Mrs. N. herself put it, "The lights are getting pinker every year." A bed occupies one corner of her little room, a stove another, and a dresser and clothes neatly arranged on hangers each of the other two corners of the room.

Q. How much did you say she received? A. Six dollars a week.

Q. You spoke a little while ago of a young woman who was a clerk; do you distinguish that from saleswoman? A. No, they are the same. From nine to six Mrs. N. stands waiting on her customers. At six o'clock she walks through the unpleasant streets to her room, cooks her dinner on her gas stove, washes the

dishes, sweeps the floor, washes out her shirtwaist and underwear, mends her clothes and then goes to bed. In the morning she rises early in order to cook her cereal and her coffee, washes the dishes again and then straightens her room and hurries off to report for work at nine A. M.

Q. How far has she to walk? A. About ten blocks. Such is her round — her life — bounded by the jewelry counter in the store, and the small crowded room in the questionable section of the city.

Sleeping three in a bed is the way one factory girl economizes on her rent. She pays only \$3.50 for her board and room, but has to sleep in the same bed with two of the landlady's children. She is superintendent of the work at the chocolate table in one of the model candy factories. She usually gets six dollars a week, but as the trade is seasonal and the factory closed for a month or more at dull times, this six dollars soon peters out.

Q. Where is she, in this city? A. In Niagara Falls.

Q. That is in a candy manufacturing establishment? A. In a candy factory. By practicing the most rigid personal economy, and by paying for only one-third of a bed she manages on this amount. She also has to help considerably about the house work, rising at five every morning in order to help get the breakfast. In the evening after the long day's work at the factory is done, she washes the dinner dishes, washes out her own clothes, irons them, puts the two children to bed and then crawls into the same bed herself. No privacy, no pleasure.

Q. Is this her own family or is she with strangers? A. These are strangers. Her life is simply a dull monotonous routine of work, and then more work.

Some girls secure cheap board by living at one of the many subsidized homes for working girls. Board and room can be obtained very cheaply at most of these homes, often from \$2.50 to \$3 a week. But very few of these homes are self supporting, the low amount which the girl pays for board being made up by grants of charity from interested men and women. Some, of course, of the girls who live at these places do not care how the small sum which they pay for board is supplemented. But a great many do care and do feel the stigma of charity connected with it. In some cities these homes have dozens of unfilled beds

because girls would rather manage in any other way than feel that they are the recipients of charity.

Laura D. is a girl living in one of these subsidized homes. She began her working career when she was fourteen years old, her parents having died.

Q. Where is that? A. This is New York City. She had no relatives on whom to depend.

Q. What is she, a factory worker or — ? A. Department store girl. She is 16 years old now and gets \$4.50 a week as wrapper in one of our large department stores. She pays only \$2.50 for board and room, her lunches put up by the home, being included in this price. Twenty-five cents a week is her usual allowance for spending money. This leaves her \$1.75 a week for clothes, fines, church dues and incidentals.

Q. Is that girl an orphan or has she a family? A. She is an orphan. As this girl was sick for two weeks and lost two weeks between jobs these small savings were quickly eaten up, leaving her practically nothing for clothes. As nearly as she could remember she had only \$25 to spend on clothes during the entire past year, so her clothes, as well as her board and room, come as charity, and she wears whatever her working girl friends and the matron of the home can spare her. Taking the conservative figures of an economist, \$75 as a minimum yearly clothes budget and \$4 a week as the lowest sum at which board can be secured, this means that this girl worker, living as she is at present, is being subsidized by charity to the extent of \$128 a year! One answer to "How do girls manage."

Q. You say \$75 a year for clothes allowance; how do you arrive at that or where do you get that figure from? A. I got it from the figures worked out by an economist.

Q. Dr. Streightoff's? A. I think so, yes.

Q. How did you get the figures for board and lodging? A. That also from him.

Q. Those are standard figures? A. Yes, sir.

Q. Are those minimum figures? A. Minimum figures, yes, the least sum.

The total sacrifice of pleasure is another common form of economy. In many cases this seemed especially disastrous, be-

cause many girls interviewed were carrying a heavy burden of anxiety in addition to their work and particularly needed legitimate distraction. The low wage entailed not only the lack of an outlet for the normal spirit of youth, but also the lack of any relief from the besetting worries and anxieties. "Oh! I just sit at home in the evening and worry about what will become of the family if I can't earn more than \$5 a week," said a Polish factory girl when asked what pleasure her wage allowed her. Her father is a plumber by trade and when all goes well can earn nine or ten dollars a week, but there are many weeks when all does not go well.

Q. Where is that family located? A. In Buffalo. Last year when this 18-year old girl was sick with typhoid fever and absent from work four months the charity organization society had to aid the family "And oh! how I hated that" she said. "Five dollars doesn't seem very much when I am feeding 39,000 boxes to a machine every day, but when I don't get it at all it seems like a fortune."

One little girl did not want to tell her story at all for fear it might jeopardize her job in some way. "You see I've got to work, I just got to," she declared. "As long as I have work I am all right." The reason for her clinging so desperately to her job was seen as soon as she began to tell her story. Her father is dead and she, a delicate girl of 24, has to support not only herself but a sick mother besides. She has been working for nine years at a shirt factory.

Q. Whereabouts? A. I haven't the place of business.

Q. Is it New York City or is it elsewhere? A. I haven't this down. I would have to look that up, but it could be found in the records. For nine years she has been working at this same shirt factory and just recently she was promoted to \$7.50 a week.

Q. From how much to \$7.50? A. She began on five, I think, and after nine years has been promoted to \$7.50. Her mother has some kind of serious stomach trouble. She is up one day and in bed the next. "I worry all day for fear she will be worse," said the daughter, "and then I wonder sometimes what would happen if I got sick too and mother had no one to depend upon."

Q. How old is this girl? A. Twenty-four. "Sometimes," she said, "I feel sick, but I just grit my teeth and say 'you can't be

sick, you can't afford to give in,' and so I go on with my work." An older brother who is employed in a state institution gives what he can to the little household. One dollar and fifty cents a week is spent on medicine alone for the mother. Then there is food and doctor bills and clothes also to pay for. This girl spends practically nothing on herself. She walks to and from work, takes her lunch with her, does her own and her mother's washing, never goes out to shows and parties, and economizes in every possible way on her food. "I am covered and that is all you can say about my dresses," she said, "I don't know when I have had a dress just because it was pretty and I wanted it."

Alma D. is another girl who sacrifices all recreation in order to make both ends meet. She is a clerk in a department store in New York City. Her father has been out of work for the past year and the family of eight, with two children in school and two small children at home, subsist on the \$4.50 which Alma earns, and the five dollar wage of the fifteen year old brother — helped out by the father's very slender earnings from past years. The mother calls for huge piles of clothes from nearby factories and does finishing on them at home.

Q. Where do they live, what city? A. New York city. As it is a rush order and must be completed at once the whole family help on this finishing in the evening. So Alma takes her recreation in the evening, after her long days' work is over, sewing on heavy black garments. Often she is up until midnight bending over her work only to return the next morning at eight to stand again for nine hours waiting on customers.

Q. What kind of work does she do? A. She is a clerk.

Q. Saleswoman? A. Saleswoman, yes.

Q. Do you know in what department? A. No. She returns the next morning after being up until midnight sewing on these garments to stand for nine hours waiting on customers.

The amount spent for recreation varies considerably, of course, as the income varies but a few girls who were getting \$5, \$6 and \$7 a week, reported nothing spent on pleasure for themselves. They did not even have five cents left after the weeks' bills were paid to go to a moving picture show. Some never boarded a street car for an evening's ride without planning days ahead how the

nickel could be spared from their lunch or clothes money. Just as some girls ingenuously admitted relying on friends for food, others admitted relying on friends to treat them to a show. The girl with "a fellow" was decidedly in luck. The only problem seemed to be "to get a fellow." The acceptance on the part of the girl of a doubtful invitation needs little explanation when one realizes that she often goes pleasureless unless she does accept "free treats." Low wages and vice are by no means constant companions, but the lack of any spending money and the acceptance of the doubtful invitation certainly do go hand in hand quite frequently.

In every normal person's budget savings form as important an item as food or rent or clothing. The lack of savings, therefore, results from underpayment quite as much as the lack of food or proper living quarters, and the budgets of many girls will reveal this lack.

Miss S., one woman whom I interviewed, has worked for twenty-five years, and has worked nineteen years with the same firm. I asked her how much she had been able to save during that time and she replied quickly "not a cent." She said "if I do break down now it is the poor house for me I guess." Miss S. is an operator in a shirt factory earning from \$9 to \$9.50 a week, when work is plentiful, and from \$7 to \$7.50 a week when work is slack.

Q. What kind of a factory did you say? A. A shirt factory in Buffalo.

Q. What is she? A. An operator on a hemming machine. It is the custom of the factory to deduct for thread, this amounting to from \$1 a week on the hemming machines to sixty-three cents on the buttonhole machines.

Q. When you say deduct for thread, you mean it is the custom for them to pay for the thread? A. To make the employees pay for whatever thread they use, and it usually amounts to a dollar a week on the hemming machines and on the buttonhole machines to sixty-three cents a week. During the months of prosperity when Miss S. is making \$9 or \$9.50, and getting really \$8 or \$8.50, she tries to save enough to see her through these slack weeks. But during the slack weeks, when she is getting only \$6 or \$6.50, the

small earnings quickly disappear, for her weekly expenses far exceed her weekly income. Last winter Miss S. faced a nervous breakdown. Rest was the prescription. The doctor said her illness was due to the terrific speed at which the machines were run and to the constant pressure of the piece work system. This had worn on her and gradually broken her strength. Rest was the prescription, and rest was the one prescription which she could not afford to take. "Miss S. and her hemming machine are glued together," the forelady laughingly declared one day. After twenty-five years of honest work, and after nineteen years with the same firm, Miss S. cannot afford to take the rest she so badly needs.

Q. How old a woman is she? A. Thirty-eight, I think, but I am not sure of that. The inroads that sickness makes upon the yearly budget are strikingly brought out in a detailed account of expenditures, kept for several months by a little widow working in a paper-box concern. Her husband died six years ago, and since then she has been working in the same factory. The superintendent of the factory, in introducing her to me, said that she was one of the most capable and quickest workers which they had. She is inspector of boxes, sitting at a table looking over the boxes as they come down to her. She inspects some 30,000 boxes a day, watching for twelve separate defects on each box. Her wage is \$6 a week.

Q. What do you mean by twelve separate defects? A. There are twelve defects which these boxes might have, and every box must be looked at to see that none of these twelve defects appear. And she inspects 30,000 a day.

By Commissioner GOMPERS:

Q. Thirty thousand in one day? A. In one day, yes, sir.

Q. What about the size of these boxes? A. They vary in size. Some of them are very small and some quite large.

Q. Is each individual box examined? A. Each individual box. It is done very quickly, just like this (illustrating), but of course it is skilled work. It has taken her years to get up to the speed at which she has now arrived. The daughter, the only other member of the family, earns \$6 a week, this combined \$12.50 wage being the only source of income for the two. Mrs. S.,

as I said, kept detailed accounts of her expenditures — writing down everything which she spent. The amount spent for food for the two of them averaged \$4.25 a week, \$4, \$4.75, \$4.03 and \$4.08 a week were the exact amounts appearing. But when Mrs. S. was sick for two weeks and absent from work during that time the amount spent for food dropped to \$2.98 and \$2.88. While Mrs. S. was sick only two weeks and absent from work only two weeks, the account shows she could save nothing for seven weeks, although heretofore savings had been a regular part of her budget. She could allow for no incidentals for seven weeks, and could allow for no pleasure, not even five cents for a moving picture show, for nine weeks. In some cases there is a general lowering of the entire standard of living. Not food alone, nor clothes, nor rent are cut down upon, but the whole standard is lowered. Miss T.'s story is a very striking example of this. She is a woman of about 31 who has spent most of her life as a clerk in the department stores. For nine years she was working in the children's department. She had the reputation of being an exceptionally clever saleswoman, often writing the advertisements for her department. The highest wage which she ever received was \$8 a week.

By Mr. Elkus:

Q. What was she working at? A. She was a saleslady in the children's department.

Q. In this city? A. In Buffalo.

Q. Retail drygoods store. A. Yes. Miss T. had a widowed mother living in the country to whom she would send one or two dollars every week, leaving her thus six or seven dollars for herself. She lived in the lodging-house section of Buffalo, renting a small attic room with only a skylight window for light and air. For this she paid \$2.50 a week. Her breakfast and dinner she got herself on a small stove which she had in her room. At noon she would buy a dish of beans for three cents and some bread and butter for two cents. Hardly ever did she spend more than six or seven cents for lunch. "When I spend seven cents I am extravagant," she said. Quite often she felt she could not afford to have breakfast so would go without that meal. A girl, who clerked in the same department with Miss T., told me that often she had seen Miss T. looking white and weak at her counter, and

Miss T. had explained it by saying, "I have had nothing to eat this morning, and the reason I am white is simply because I am hungry."

Q. How old was this woman? A. Thirty-one. Miss T.'s clothes were pathetically old fashioned, the coat which she wore last winter, for instance, having large puffs on the sleeves. She could not afford to buy a winter hat so wore her summer hat all the year round. At one time her black silk waist gave out in the sleeves. She had no money to buy a new waist, not even the few cents with which to buy material to mend it, so she went down to the silk department of the store and secured a sample of the goods displayed, and this sample she used in mending the rent in her sleeves. When the girls with whom she worked found out about this, they clubbed together and bought her a \$2.98 shirt waist for Christmas. Miss T.'s gratitude was so sincere and so repeatedly expressed that the girls said it was pitiful. The only vacation which Miss T. allowed herself was the one week given by the store with pay to each employee. She could not afford to go to the country and have a real rest, so would sit in her little attic room trying to rest there. Every day she would visit the store "just to see if any one had taken her job away." She has finally broken down now and is almost a complete nervous wreck. Another case is that of Annie B.

Q. Are these girls you have been speaking of native born? A. Yes.

Q. Are they able to read and write? A. Yes.

Q. Public school education? A. Yes. Annie B. has worked her expenses out in great detail, and has figured to the cent just how much she can allow herself for food, rent, clothes, incidentals, etc. Since her mother died ten years ago and left her an orphan, she has been dependent upon herself. At present she is receiving \$6 a week as clerk in the flannel goods department of a large store in Buffalo. She lives in a furnished room for which she pays \$2 a week. She gets her own breakfasts, consisting usually of a glass of milk with an egg in it and a few crackers. This she chose because it was both nourishing and economical. When she can afford it and wants to have a real treat she gets an orange for breakfast and has that also, but that is only on very special occasions such

as Christmas and New Years, and doesn't happen very often. With this planning, breakfasts cost her usually five or eight cents. This year was a very "good year" for clothes, that is she had to buy very few things, for she wore her last year's purchases. The only things she had to buy this last winter were two dresses at \$9 and \$2.50, one black waist at 98 cents, one black skirt at \$2.90, two suits of underwear at 50 cents each, one corset at 50 cents, three pairs of shoes, one pair at \$2.90 and two at \$2, \$6.90; two pairs of rubbers at 60 cents and 75 cents, \$1.35; and stockings at 10 cents and 35 cents, amounting to \$1.10. The extravagance of two dresses Miss B. evidently thought needed apology for, she hastened to explain, she wouldn't have bought the \$2.50 dress except that her landlady had a dress given to her and was anxious to sell it. As Miss B thought the dress was nice and the price low she decided to get it. She couldn't afford to buy this dress outright, however, so has been paying 25 cents a week on it. "It is almost paid for," she added proudly. She also explained about the stockings, saying she knew it was better economy to pay 25 cents or 50 cents a pair, but said "when you've got just 10 cents in your pocket book and need a pair of stockings, what are you going to do?" She knew by experience the pitfalls of buying on the installment plan and did not care to be involved again.

This strict economy and worried planning was shown as much in her recreation money as in her egg and milk breakfast and \$2.50 second-hand dress. Fifteen cents a week is the very top notch expenditure for pure pleasure. It occurs only on holidays and very special occasions. Usually Miss B has nothing left out of her salary, not even five cents for a moving picture show. As far as could be learned church on Sunday seems to be the one relaxation she allows herself during the week. Her story, conscientiously and painstakingly told, was one of incessant economy, of minute plannings over unexpected bills and of nerves already worn, stretched tauter. There seemed to be no large and free movement of the mind, but a dwarfed and circumvented scheming instead.

Q. Did you find that these women or girls planned out in the beginning of the year or week how much they were going to

spend and what they were going to spend it for? A. Having so small an income it would be very easy to do that. Most of them knew to the cent just how much they should spend for certain things. There were in Miss B's life no gay, unexpected pleasure trips, no little lovable extravagances, nothing sudden, bright and colorful in her life. Pleasure was obtained only after laborious planning. Dresses were bought for warmth and durability, never because they were becoming; and food was purchased not for delectability but for nourishment. Miss B's whole life seemed to be drab and uniform.

Statistics tell us that thousands of working girls are receiving only \$5, \$6 and \$7 a week. This means little, unless one can visualize just what this low wage means to Annie B or Florence M. To one girl \$5 will mean lack of food; to another it will mean no savings for the rainy day; to another it will mean no pleasure, but invariably it will mean to thousands a cramped, subnormal way of life, a mere existing, not a real living.

By Commissioner MCGUIRE:

Q. These cases quoted to the Commission, they are typical conditions you found? A. They are typical.

Q. They are not extreme cases? A. No, not at all.

Q. And did you find in your investigation that some of the young women employed at the work, receiving the same salary, got on much better than others? A. No, I don't think I did. I found everywhere a sacrificing of either one or another item. As I said, one girl prefers to economize on food and another girl prefers to economize on rent, and therefore their standard of living would vary, but throughout all of these cases there was always some sacrifice.

Q. You found much of that in New York City, did you? A. A great deal of it.

Q. In connection with the department stores? A. And factories, yes.

By Commissioner GOMPERS:

Q. Have you testified, Miss Packard, as to the particular establishments outside of the department stores which you investi-

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Q. In connection with the department stores? A. And factories, yes.

By Commissioner GOMPERS:

Q. Have you testified, Miss Packard, as to the particular establishments outside of the department stores which you investi-

gated? A. In addition to the department stores, the paper box factories, the candy factories and the men's shirt factories were studied.

Mr. ELKUS: Mr. Emanuel W. Bloomingdale desires to make a statement.

Mr. BLOOMINGDALE: Doctor Dean yesterday in his testimony referred particularly to the extension work being done now under the auspices of the Education Department, and the question was put to him as to whether the extension classes resulted in a greater efficiency to the benefit of the employer, or whether they found an effect in the pay envelope of the employe. In the course of his testimony he referred twice to the extension schools being carried on by the firm of D. E. Sicher & Co., and I have here a part of a report with reference particularly to that very subject. This first part is a report made by Mr. Winthrop Talbott, who inaugurated this extension class, and is in part as follows:

"In September, 1913, at the request of Mr. Dudley D. Sicher and by authorization of the school authorities, Miss Lizzie E. Rector, Principal of Public School No. 4 deputed Miss Florence D. Myers, who has been in charge of experimental class, to teach 40 girls in the factory of D. E. Sicher & Co., makers of muslin undergarments, 45 West 21st street, New York City. These girls were mainly those who had never learned to read or write in any language and comprised all the illiterates in the factory force of four hundred, about 10 per cent. The girls were taken in three groups of six each for forty-five minute periods, one section being taught from October to February, the other from February to June. In this way every illiterate girl in the factory at that time received practically individual instruction in English, reading, writing and arithmetic, American history, geography, personal hygiene and practical information about food values, fire protection and the evolution of the undergarment. Practice was given in the writing of letters of a friendly and business nature; keeping expense accounts and budget, making out work slips and reports. In arithmetic girls learned the practical application of adding, subtracting and multiplying on work-

slips and factory and personal accounts. They were taught how to deposit and draw money in a savings bank.

Miss Myers took pains herself to sit down at the various machines and get the forewoman to instruct and correct her; making notes of all her phrases and afterwards using them in the early lessons in English. In teaching English practice was given in the use of the telephone book, and the city directory and how to write telegrams.

The girls learned about the mail service, how to send letters abroad, the common routes of travel in New York, and local ordinances. They were given practical and simple rules for safety and health.

It was obvious as the weeks passed by that the lessons in personal hygiene, physical culture, right breathing and eating were taking effect. The eyes of the girls were getting brighter, the skins more clear, the minds more alert and receptive, and better judgment and taste was shown in dress. They were interested, eager and willing to work hard.

In no sense could this be termed welfare or philanthropic work inasmuch as in the records of the firm the girl students gained from 20 per cent. to 70 per cent. in working efficiency and the girls themselves not only attained new hopefulness, ambition and courage, but increased their earnings from an average of 19.5 per hour to 22.5 per hour, while the earnings of those who could not avail themselves of the class instruction remained practically unchanged.

From time to time interested visitors, educators and employers visited the class which, received favorable attention and notice in the daily press, with the result that other employers were stimulated to establish similar classes.

At the close of the course in June, graduation exercises were held and public school certificates of literacy were presented to each member of the class."

In the report of Miss Lizzie E. Rector she says:

"One of the pressing problems of the day, in New York, is how to reduce illiteracy among those who, born in foreign lands, come to this country to earn a livelihood. The first thought of

the immigrant is to find employment. Though many of them possess a degree of adaptability for different kinds of work, because of their lack of knowledge of even the elementary principles of an education, they are inefficient and therefore can earn only the smallest wages — especially the women.

It was with a view of reducing illiteracy among the young immigrant women employees of their factory and thus increase their efficiency and earning capacity that D. E. Sicher & Company secured the co-operation of the Board of Education in establishing a school in their building for the daily instruction of these workers in reading, writing and arithmetic and subjects in life in a great city.

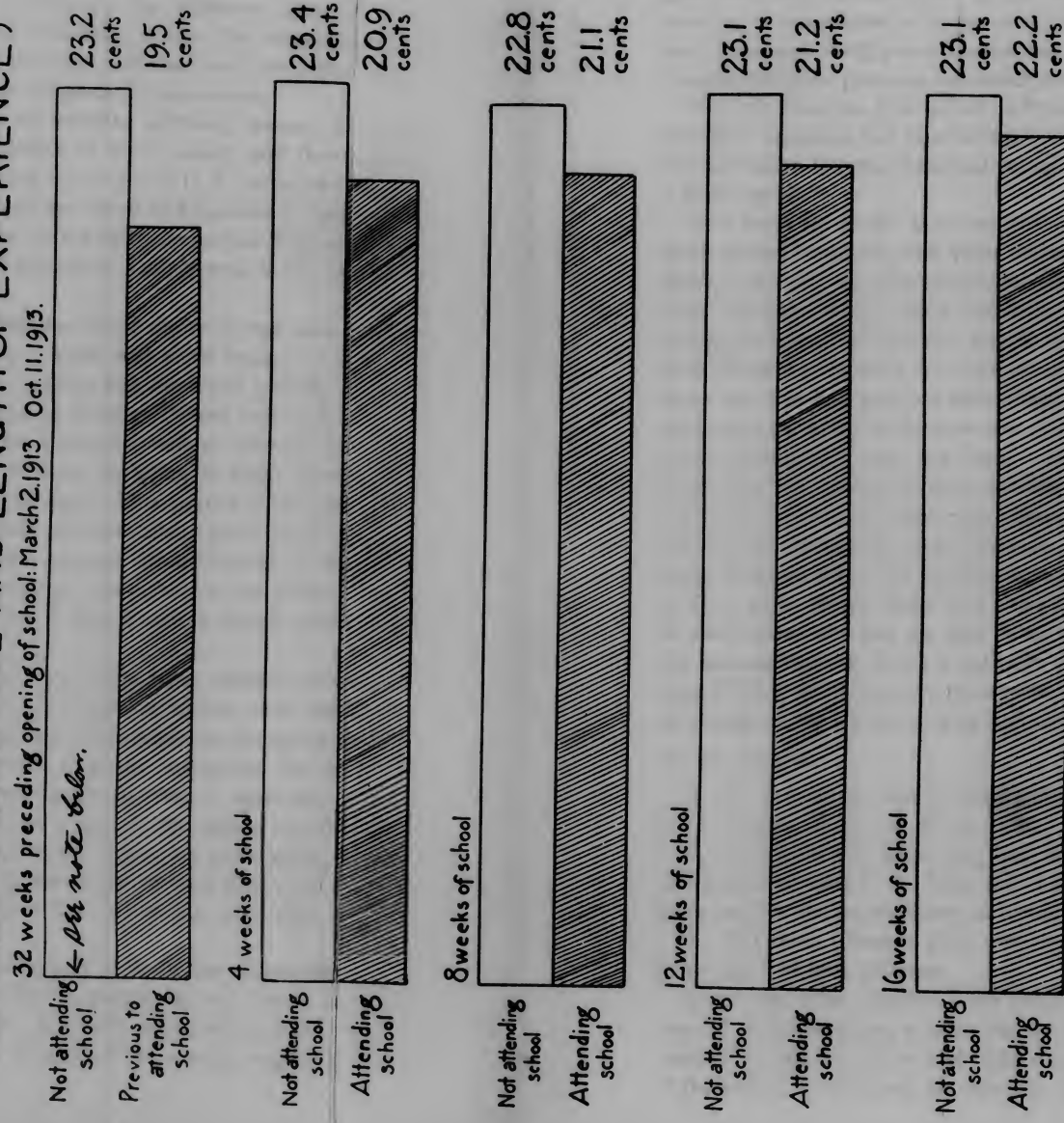
The girls who attended the school the first year were selected on the basis of illiteracy. Some had never been in a school at any time in their lives. Others had, for brief periods, attended school in remote districts of Russia, Poland and Italy. Some since their arrival in New York had made an effort to gain what had been denied them at home by going to night schools after working in the factory all day. This proved to be such a tax on their strength that most of them finally gave up the attempt.

The Board of Education assigned Miss Florence D. Myers, an experienced teacher, to conduct the classes in the Sicher factory under the general direction of Miss Lizzie E. Rector, principal of Public School No. 4.

During the past year forty girls have received instruction. These were divided into two classes of sixteen each and one of eight. These classes were then subdivided into groups of three or four girls each, each group receiving instruction for forty-five minutes daily. They were taught to read, to write and to keep personal expense account as a part of the course in arithmetic. As the girls were engaged in the factory on piece work, the firm paid them while attending school the amount they would earn if actually at work, so that at the end of the week they received full pay.

The results of the first year's work in the classes have been highly satisfactory to Dudley D. Sicher, through whose initiative the school was established. A careful examination of the teachers and the factory's report shows that the earning capacity of the

THE AVERAGE EARNINGS PER HOUR OF 10 GIRLS-OPERATORS
ATTENDING FACTORY SCHOOL AS COMPARED WITH THE
AVERAGE EARNINGS PER HOUR OF 10 GIRLS-OPERATORS
NOT ATTENDING FACTORY SCHOOL
(CORRESPONDING AGE AND LENGTH OF EXPERIENCE)



Note: - By "not attending school" is meant, not attending the factory school, having had previous schooling.

Cotton Garment Industry
Data for 1 shop.

Charted by B. Maruchess May 29, 1914
under the direction of
Charles H. Winslow Expert, U.S. Bureau
of Labor Statistics.

girls has been increased from 10 per cent to 40 per cent. This result is in accordance with the established educational principle that increased intelligence creates increased efficiency, and increased efficiency produces increased earning capacity.

Not only have the girls gained in knowledge and earning power but their ambition has been aroused, they have a keen sense of the distinction between right and wrong and they are imbued with a better spirit."

This leads up to the same conclusion that in working out of these extension schools, that while efficiency increases it found its place in the pay envelope of the employee, and a very interesting chart has been drawn, which indicates — the white line — those employees who were literates and in the shaded line those who were illiterates, showing that preceding the attendance at school those who had had previous educational advantages were earning 22.3 cents per hour, while those who had not thus attended school were earning 19.5 cents per hour. After four weeks of school those who had previously been literates were earning 23.4 cents while the earnings of those who had been attending school these four weeks, and who had been illiterates was 20.9 per hour. After eight weeks of school the relation of those two figures were 22.8 to 21.1; after twelve weeks 23.1 to 21.2, and after sixteen weeks of school those who had not been in the classes were earning 23.1, the earning capacity being practically stationary with the beginning of 23.2, while the earning capacity of those who had had the advantage of the school training had increased from 19.5 to 22.2.

By Mr. ELKUS:

Q. Do you know, Mr. Bloomingdale, whether that is piece work or wage work? A. Piece work.

Q. In other words, after they had this training they could do so much more work? A. After they had this training they were more capable and more efficient in turning out the work.

Q. And these illiterate girls were foreign born? A. Most of those who had been illiterate.

Q. Do you know whether there would be any objection on the part of these gentlemen to allowing the investigators of the commission to visit the factory and make such inspection as they want of the books? A. Not only no objection, but I am sure they would

be perfectly delighted. It was because of your question to Doctor Dean and his inability to answer it categorically that I have gotten these figures and I will admit that I have not been able to digest them fully.

Commissioner DREIER: Were these immigrants illiterate?

Mr. BLOOMINGDALE: I think mainly they were.

By Mr. ELKUS:

Q. The limit they reached is 23 cents, is that it? A. Yes.

Q. The literate limit is 23 cents? A. The earning capacity of those that were literates at the beginning of the school year, that is whom it was not found desirable to include in these extension schools, had an earning capacity of 23.2 cents and the relation of those two figures is more significant in that it shows that this increase from 19.5 to 22.2. is not the result of a business development.

By Commissioner DREIER:

Q. Was there anything like a strike or anything of that kind?

A. No. Those who had previously been literates remained practically stationary while there was a steady increase in those who had elevated out of the darkness of illiteracy and brought to the point where they were able to comprehend.

Q. You don't know whether there was any strike during that time, I mean strike among the foreigners and not among the literates? A. I don't think there was any strike. They never have a strike.

By Commissioner GOMPERS:

Q. On what class of work were these girls employed? A. I think they were all employed at the sewing machines. It is a white goods factory.

Mr. ELKUS: Shirts?

Mr. BLOOMINGDALE: No, women's undergarments.

Q. Do you know of any effort being made by workers in the same class of work outside of the establishment you have mentioned? A. Yes, I do, Mr. Gompers. This work is being gen-

erally developed in very many establishments. Not wanting to take advantage of the courtesy of Mr. Elkus in permitting me to interject myself in the proceedings I haven't read of others here, but the final clause of the report that I read first is, from time to time interested visitors, educators and employers visited the class, which received favorable attention and notice in the daily press, with the result that other employers were stimulated to establish similar classes. The gentleman who is at the head of this firm has prepared a very elaborate press report on this work, on its advantages both to industry and the individual, and on the duty that employers owe, and is intending to send it out in order that this principle may be still further developed, and has only hesitated in sending it out because during the present depression it occurred to him it was not a particularly desirable time to carry on a propaganda which might possibly mean a larger expenditure to employers.

By Mr. ELKUS:

Q. Isn't it a fact that some of the department stores have established classes during working hours for the improvement of the saleswomen? A. For the improvement of not only the saleswoman but for minor employees and those in the clerical departments.

Mr. PODELL: I would like to know if it isn't a fact that the reason for this extension school system in the factory and so on is not owing to it being a sound economic proposition and being advantageous to the employer and employee generally?

Mr. BLOOMINGDALE: It has been accepted for those reasons.

By Commissioner DREIER:

Q. I am informed that Sicher's is a union shop with preferential contracts? A. I don't know. Miss Hill is here and perhaps she can answer that.

Miss HILL: It is an open shop. We have both union and otherwise.

Commissioner DREIER: With a protocol?

Miss HILL: Yes.

Mr. BLOOMINGDALE: Miss Hill wanted to say a moment ago that there has been no disturbance at all and those that had been in the school had done identically the same work and under the same conditions.

Miss MARY VAN KLEECK addressed the Commission:

By Mr. ELKUS:

Q. Miss Van Kleeck, will you please state your position in connection with this work? A. I am secretary of the Committee on Women's Work of the Russell Sage Foundation.

Q. How long have you been secretary? A. Since 1909.

Q. Now you were good enough to volunteer to do some work for the Factory Commission at the Commission's request. A. Yes.

Q. What was it? A. Through a plan of cooperation with the Commission we made an investigation of wages in the millinery trade. We had already made a study of conditions in the shops and of milliners in their homes, but had not examined any payrolls. At the Commission's request we examined payrolls under the direction of the Commission's director of investigations, Dr. Woolston, and that is the material which I have to present this morning.

Q. Now will you tell me who did this work, how many people? A. It was done by the staff of the Committee on Women's Work of the Russell Sage Foundation, four members of the staff taking part in it, all of whom were regular members of the staff of the Committee engaged in investigations of industrial conditions in New York.

Q. Under your direction? A. Under my direction, and I took part in the investigation.

Q. How long were they engaged in this work? A. In this particular work they made a study of the payrolls in the months of January and February of this year.

Q. And previous to that, of the working conditions, how long did that take you? A. The millinery investigation had been carried on concurrently with a number of other investigations during a period of some two years.

Q. Now will you tell us what you did, what your plan was

in obtaining this information, just how you got it? A. We followed the same procedure followed in the other parts of the work of the Factory Investigating Commission, namely, we went into the shops, copied from the payrolls the wages of employees and also had schedules filled out by the workers in the workrooms.

Q. Now will you tell us something of your own experience and qualifications for this work? A. Graduate of Smith College, class of 1904. Courses in economics and sociology, Columbia University, 1905-1907. I have been an investigator of industrial conditions in New York since 1905, first as Fellow of the College Settlements Association, then as industrial secretary of the Alliance Employment Bureau, an employment agency affiliated with social organizations, and since 1909 director of investigations in the Department of Women's Work in the Russell Sage Foundation.

Q. Have you yourself written some books on these subjects? A. I have published three books, "Women in the Bookbinding Trade," "Artificial Flower Makers," and "Working Girls in Evening Schools."

Q. Go ahead in your own way? A. The millinery trade in New York City is a skilled industry. A study of wages in that trade is a study of the earning power of women of whom skill is required. We are frequently told that the problem of low wages is the problem of unskilled industries. It was for that reason that we felt it important to take up the study of the millinery trade, and also because the millinery trade is numerically important in the New York City. It is distinctly women's work. About 90 per cent of the workers in the millinery shops in New York City are women. New York supplies hats for the whole country. We have two types of trade here, the wholesale and the retail trade. New York City is the center of the wholesale trade, and the hats are distributed through buyers, salesmen, jobbers, all over the country from Maine to Texas. It is also an important center of the retail trade, selling hats directly to customers. That there are great varieties of shops is apparent to any one who walks through the streets. There are the small wholesale shops on Division street, there are the larger wholesale shops on Broadway, there are small neighborhood shops on First, Second and

Third avenues, and there are the large fashionable retail shops on Fifth avenue.

It is also a trade which is still carried on to some extent in the homes. I refer not to the giving out of work from factories, although that is also done in the wholesale trade, but I mean that this is still a trade which can be carried on with small capital by women working at home without employees. In other words we have a number of different types of industrial organization in the trade. As a result, our census figures on this subject are chaotic. It is almost impossible to count the numbers of milliners in this city. The census of 1910 enumerated 13,000 milliners and millinery dealers in New York City. That number includes, of course, women who worked alone and had no employees. The Industrial Directory of the State Labor Department reports 8,885 women and girls in millinery in New York City, working as employees in millinery shops. These are better figures to use in determining the scope of our investigation, because we were studying the employees in the shops.

Q. In what year was that? A. In 1912 the Industrial Directory was published. Millinery includes a great many things besides hat trimming. Broadly considered, it includes the making of pressed hats, straw hats, millinery ornaments, artificial flowers and feathers and other accessories, but we limited our investigation to the trimming of hats in what is ordinarily known as millinery shops, and as this work is done almost entirely by women we limited our investigation to women and girls. We also limited our study to Manhattan, because 90 per cent of the millinery employees in New York work in Manhattan. I would say here that we made rather an intensive study than an extensive inquiry because we knew in advance that the problem of irregular employment was a very important one in the trade; therefore, instead of studying only current payrolls we copied the entire payrolls in forty shops for the calendar year of 1913. In a few other establishments, in which the records were not complete enough for so thorough a study, we transcribed earnings for the current week only. We included in the study 57 shops employing a maximum force in busy seasons of 2,550 workers, that is, about 29 per cent of the women employees at work throughout the city, 32 per cent of the trade in the Borough of Manhattan. These

percentages are based on the statistics given in the industrial directory of the State Labor Department.

Q. Did you select typical establishments? A. We made our selection by both chance and discretion. We first of all prepared a street directory of millinery firms. We drew out every fifth name in that directory. We then went through these and, in accordance with the information we then had about millinery shops, we selected establishments representing a great variety of types in the trade. We secured records from 28 wholesale shops employing a maximum force of 1,711 and 29 retail shops employing 839. The millinery trade is so chaotic and varies so from week to week that to give the figures as to the number investigated is difficult and in itself a revelation of the seasons. The records secured from current weekly payrolls numbered 1,951, while the number of individuals on the payrolls through the year was 3,893. Cards filled by employees in the workroom from which we secured data about age, conjugal condition, and experience in the trade, numbered 1,363. The maximum force in the 40 shops from which the entire payroll for the calendar year was secured was 2,016. Thus with a maximum force of a little over 2,000, the number passing through the shops in course of a year was nearly 4,000.

This might indicate, of course, frequent changes in personnel. It might show that a girl came in for a while and went out again just for a whim of her own, but a count of the actual number of girls on the payrolls week by week for fifty-two weeks in the year proved that this was not a question of the whim of the worker, but an actual change in the industry, in the number of workers who could be employed in the various seasons. With a maximum force of 2,016, the average number employed was but 1,219, while the fluctuation from maximum to minimum was very marked. In wholesale, for instance, the number retained in the dulllest week of the year was but 36 per cent. of the number employed in the maximum week of the year, only thirty-six in every hundred. Thus sixty-four in every hundred must find other work or be out of work in the dull period.

Q. How long does the dull period last? A. I am coming to that in just a moment. The smaller retail shops retained only 25 per

cent., and the larger retail shops which had also a wholesale trade retained 33 per cent. These seasons come at different periods in the year. The wholesale precedes the retail so that combining one with the other makes the seasons appear longer than they actually are and fluctuations less violent. Nevertheless a combined count of that kind showed that in the twenty-seventh week of the year, when the force was at a minimum, 58 in every 100 of the milliners at work in the maximum week were displaced, and that in the last eight weeks of the year the force employed never exceeds 57 per cent. of the maximum in the spring; that is, for 43 of every 100 workers there was no place in these millinery shops in the last eight weeks of the year.

These figures do not show the duration of the season. To measure the length, we estimated the number of weeks in which the force never fell below 10 per cent. of the maximum and we made another estimate of the number of weeks in which the force never fell below 25 per cent. of the maximum. There were only eleven weeks in the year in which the force in these shops did not fall 10 per cent. or more below the maximum and twenty-five weeks in the year in which the force did not fall 25 per cent. or more below the maximum. Even this brief period of employment is divided into two seasons, the spring and the fall.

As to the duration of employment for individual workers you will note that we copied the figures for the calendar year only. Therefore, we do not know from these figures how long the workers may have been employed in the shops previous to the calendar year, nor how long their employment may have continued after the period of investigation, but it is significant to note the length of time they were employed in one shop within twelve months. I think the most significant fact we discovered in the entire investigation was that only 110, or 2.8 per cent., of 3983 women employed sometime during the course of that year were on the payroll in the same shop for fifty-two weeks; only 672 of those 3983, or 17 in every 100, appeared on the payroll in the same shop forty weeks or longer, and as many as 52 per cent. were recorded eight weeks or less.

Those figures show for each worker the duration of employment within the calendar year in one shop. They do not show whether

she went to another shop to fill in slack time or whether she found work in another trade. The set of figures, taken from schedules filled out by employees in the shops show the total length of their employment in any one shop. Of 1,278 girls who reported the length of their employment in their present positions, only one-third had been in their present places of employment more than one year, and yet only eighty-five in that entire group had had less than one year's experience in the trade. Thus changes of positions are frequent.

These figures are all that can be obtained from the payrolls or from the schedules filled out by the employees, but in our own investigation previous to this we had secured detailed information from 191 girls as to what they did in slack season and how much time they lost in the course of a year, after having found other jobs in other trades or other positions in the millinery trade. Of 191 interviewed only 24 had lost no time whatever in the year; 36 had lost time varying between one and four weeks, and 131, or two-thirds, had lost at least one month. These figures show, of course, the net loss of employment after all the jobs have been taken into consideration. Thus for two-thirds of these milliners at least one month's pay was lost during the year. We were not surprised therefore that one girl told us when we asked her what she thought the minimum wage ought to be in millinery, that "Eight dollars is enough for a girl to live on who works steady, but it must be \$12 for a milliner." That was statistically accurate because the milliner's \$12 wage suddenly dissolves in air through slack season and becomes approximately \$8 in the course of the year. Thus, in reading the wage figures as to the proportion getting less than \$8 we must realize that the loss of time reduces that to a much lower rate. So much for the seasons.

As to the wage rates. Dr. Woolston explained yesterday the meaning of wage rates as the amounts which the workers expect to receive in a given period for full time work, whereas earnings are the amounts actually received after deductions. Obviously wage rates cannot be determined for piece workers. Of 1,951 on the current payrolls 504 were piece workers, so that the rates determined applied to the remaining number. The median rate, that is the point at which the groups divide, half getting less, was

\$10.77. The median earnings actually received by both week workers and piece workers were \$9.69. The range varied from less than \$2 for apprentices (some of whom receive as little as fifty cents a week) to more than \$40, ranging up to \$150 a week for designers.

Q. How long do they work as apprentices? A. The apprenticeship period must be at least two seasons, that is one year, and they are not full fledged milliners until two years of experience. It is a skilled industry for which preparation is necessary.

Q. How old are these girls who work for as small a sum as fifty cents a week? A. That varies according to the age at which they enter the trade. I shall discuss ages a moment. Only a very small proportion of the girls investigated by us were under 16.

Q. Are there trade schools in which girls are taught to be milliners? A. There are a number of trade schools teaching girls millinery. I might say that one employer after another said to me that he wished something might be done to stop abuses in the commercial millinery schools. The almost unanimous testimony of the employers seemed to be that the training of these girls in the millinery schools was not what the girls had expected when they paid money for it, and that it did not lead them to any skilled position in the industry. That does not apply universally to all of the trade classes. It does not apply to the trade schools under public auspices where no charge is made. There are many other considerations in connection with the training of milliners, if there were time to take them up.

Q. You mean there are some schools which exploit these girls, that is, promise to teach them to be milliners for pay and — A. Require the payment of a definite sum of money for teaching the trade, which is considered an attractive occupation. The figures I have already quoted show what the outlook may be for the average worker and I think the figures also indicate that there is already a larger supply of workers many weeks of the year than can possibly find places in the workrooms.

Q. And these schools do not live up to their contracts? A. It seemed to be the opinion of the employers that they did not.

Q. There are some institutions, aren't there, that are charitable, or semi-charitable and also public ones which do teach mil-

linery? A. There are large numbers of charitable and semi-charitable institutions in which millinery is taught. It is also taught in the evening schools of the city. Those classes, however, are very largely for training girls to make their own hats at home as a personal accomplishment and not as a paid occupation.

By Commissioner GOMPERS:

Q. Considerable individuality enters into the millinery trade? A. Taste is required. The value of the hat depends upon the line, color, execution of it. It is an artistic trade. It is a skilled trade. It is not a trade in which machinery has entered largely, except of course in the wholesale branch where hats are made and which I am excluding from this discussion.

Q. Repeat the statement you made as to piece work? A. I said that of the 1,951 on the current payrolls 504 were piece workers. Piece work is found entirely in the wholesale branches of the trade, but not all of those employed in the wholesale trade are piece workers. I will indicate later the earnings of the piece workers compared with the earnings of the week workers. Piece work does, of course, indicate a certain type of subdivision of the trade which allies it to the factory system.

Wages vary with length of experience. The median earnings for week workers with less than one year's experience were \$3.91. The median earnings for week workers with an experience of between 15 and 20 years amounted to \$20.50. For the whole group the median earnings were \$10.33. For piece workers the range was not so wide. The median earnings for those employed one year and less than two years were \$4.50. (None of the girls working less than one year in the shops happened to be piece workers.) The median earnings after an experience of 15 years were \$11.25. For the whole group of piece workers the median was \$9.21.

As to their wages, only 16 of 1,274 girls reporting that fact were under 16. The median earnings of the girls under 16 were \$4. The maximum median earnings were obtained by those between the ages of 35 and 40 years, and amounted to \$15.

Q. That is after how much experience? A. Presumably after 15 to 20 years in the trade. The median earnings of girls between 16 and 18 years were \$5.98.

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The figures which have been given include women designers, who are usually high paid workers, and forewomen, who generally are highly paid in the larger shops. If we separate the workers into groups according to their occupations we find that the median earnings of forewomen were \$24.50, of designers \$35.56, of apprentices \$3.39; of all other milliners, not apprentices and not designers or forewomen, \$9.63.

These are the figures taken from the current payroll. They give no information about loss of time spread over long periods. To determine the average contents of the pay envelopes during the whole period of employment in one shop in the year, we used figures from the annual payroll. If a woman had been employed 52 weeks in the year we divided her total income from that shop by 52. If she had been employed three weeks we divided her total earnings by three to determine the average contents of her pay envelope. We excluded girls employed one week or less. The earnings revealed by this process are lower than those which I have been quoting. The median is between eight and nine dollars, and that is during the weeks when the workers were actually on the payroll. It does not make allowance for the periods of unemployment between the seasons. Forty-eight per cent received less than \$8. If these figures apply generally, and there is every reason to believe that they do, we have in New York some 6,000 milliners, the average contents of whose pay envelopes during the weeks they are employed in a millinery shop fall below \$8.

As to the total earnings in one shop in one year an explanation is necessary. We are not pretending to state the annual income of these milliners, because that can be determined only by following them from one shop to another and recording all their earnings from every position they hold, but it is fair to give the total earnings from one shop without implying that it represents the sole income for the year. Only 387, or 12 per cent of those studied, including the forewomen and designers, received \$500 or more from one job in a year, showing that for the average milliner it is certainly necessary to go to more than one shop in the course of a year in order to make up a fair living wage.

We have made no extensive investigation of the cost of living of milliners. We followed a different plan. We asked 15 or 20

milliners, chosen at random from the shops investigated, to go over with us, point by point, the cost of items which should be included in an adequate budget, asking them to indicate at the same time where they themselves fell short in their own budgets. It seemed to us much more desirable to get at the standard in the minds of these girls and to have it justified by detailed items than to make an elaborate record of inadequate standards. Fifteen milliners made out these budgets item by item. The average estimate arrived at for the year was \$536. The majority of those girls earned less than their own standard. It is especially significant that their standards were higher than their earnings. They made up part of the difference by doing their own laundry work or making their own clothes and by accumulating debts in slack seasons, and they went without many things which they felt they needed. The averages of these estimates for important items in the budget were as follows (it should be remembered that these are the estimates of girls employed in a skilled occupation, and should throw light on a normal standard in contrast with theoretical estimates of what a girl ought to be able to live on): The average estimate of the cost of board and lodging was \$5.79 a week, for clothes \$2 a week, for carfare 60 cents a week, for laundry 50 cents. Most of them were obliged to do their own washing, but this estimate was for a portion of the laundry, for which they felt that a girl employed all her time in some occupation ought to be able to pay. Their estimate of what they thought ought to be allowed for a doctor, a dentist, or medicines, was 25 cents, making a total of \$9.14 a week, without any mention of money for recreation, for stamps and stationery, for newspapers, for vacations, for church contributions, for dues to club or union, for insurance, or for any savings for slack time.

As to the wages of all the milliners investigated only 12 per cent were under 18. More than half, or 56.6 per cent were between the ages of 18 and 25. Thus a large majority were under 25. Only 6.3 per cent had less than one year's experience in the trade; 12.4 per cent less than two years and 23 per cent had been employed in the trade ten years or longer. In other words, a comparatively large group were experienced milliners. They were very largely unmarried girls; 92 per cent were single, 5 per cent married, and 3 per cent widowed or divorced.

Q. What becomes of them after they are 25? A. I think we cannot answer the question statistically. I think we may fairly expect that by the age of 25 many of the girls marry. Some of them may go into other trades, although not to a great extent. In the retail branch of the trade the workers are largely native born. The foreigners are mainly employed in the wholesale trade. In the retail trade the proportion of foreigners was 24 per cent, and in the wholesale 53 per cent, and for the whole group 41 per cent, the Russians predominating. The median wages for the foreign born girls were \$9.94; for native girls \$10.08. I think it is significant that the difference in earnings is so insignificant, only 14 cents difference in the median earnings between the foreign girls and the native girls.

Q. And were these girls literate or illiterate? A. Literate. They are girls of a high standard of intelligence.

As to the hours of work, only 14 per cent worked less than 51 hours; 36 per cent between 51 and 52; and 31.8 per cent worked 54 hours. In other words it is very largely a 51 to 54 hour industry. That does not count the overtime which is of course quite prevalent, especially in the wholesale shops. A substitute for it sometimes is taking work at home, although that is usually found only in the cheaper grade of shop.

As to the methods of engaging workers and determining wages, we asked that question in every shop and it puzzled employers very much because, for the most part, they are not conscious of any special method of determining wages, and they have no plan of promotion. Generally speaking they say they try a girl out for two or three days or a week and if she is worth what she has asked they give it to her. If she is not worth what she asks she is offered less, and as one employer said, "They generally take what we offer." As to a plan of promotion, another employer summed up the situation by saying, "We give a girl a raise when she asks for it, if we have to," which means that the wage is increased if the season is busy enough to make it very inconvenient to lose the worker at that time. She may be able, as an individual, by asking for it, to get an increase, but there is no trade union worthy of the name in the trade. A very small group of girls, mainly foreigners, in the wholesale shops, have met week

after week as a trade union, attempting to organize the trade, but they have not succeeded very well.

I should like to bring out finally the differences in different shops. I can discover no force or tendency likely to bring about equality of wages for milliners of similar experience, or any approach to uniform standards in different shops. We have estimated the median earnings in each shop investigated. Let me read the data about wholesale shops. The first six items taken from the table show the median earnings in the first shop to be \$6.25; in the second shop, \$8.17; the third, \$7.92; the fourth, \$6.25; the fifth, \$9.50; the sixth, \$12.50; — a range from \$6.25 to \$12.50, all in the wholesale trade.

Q. For the same kind of work? A. For millinery in the same general division of the trade. There was a difference in the grade, in types and organization of work, but it is all in the same industry, and it is all hat trimming and yet there are these very necessary marked differences. In six retail shops the median earnings were \$8.50, \$5.00, \$6.50, \$6.60, \$10.00, \$8.17. Surely there is no standard wage scale in the millinery trade.

Q. Isn't that because the product is of different value, that is to say, a woman who works on a hat for \$2 gets more than if she worked on a hat that sells for a dollar? A. There would be a difference in work there and possibly a difference in time. It would require very minute study to observe the difference in labor cost. There was a difference in shops in approximately the same locality doing approximately the same character of work. Irregularity of employment also differs from one shop to another. One shop kept 49 per cent of its employees twenty-six weeks longer in the year. Another shop kept two per cent. One shop kept six per cent and another shop 42 per cent. The differences between different shops indicate that there is no standard and certainly show the disorganized state of the trade. An important conclusion is that certain shops have been able to maintain a very much higher standard than other shops, and that it is possible undoubtedly to pull up these lower grade shops to the higher level without wrecking the business.

Commissioner GOMPERS: If those in the audience desire to ask Miss Van Kleeck a question they will be permitted to do so,

and in that connection let me say if there be anyone in the audience who does not desire to disclose her or his identity, if he or she will give the name to counsel that it will be regarded as perfectly confidential. For obvious reasons some member of the audience might not care to disclose his or her name publicly. Or if you desire to submit a question to counsel, and counsel deems it a proper question to put, it will certainly be addressed to the witness.

By Mr. LOUIS DIETZ:

Q. You made a statement to the effect that organization does not exist practically speaking amongst these women workers in that particular industry, millinery. From your observations do you believe that the efforts that have been made in the direction of organizing that industry are absolute failures; and furthermore, do you think it is possible to organize that industry, and then to continue, do you think there would be a better wage scale if it were organized? A. That is a question of prophecy, it strikes me, Mr. Counsel.

Mr. ELKUS: You don't have to answer it if you do not want to; you are a witness, not a prophet.

Miss VAN KLEECK: I should say that the fact that the union has very few members and that, so far as I know, no contract has ever been signed between the union and any shop would indicate that the union certainly has not succeeded yet. Whether or not its efforts have been a complete failure remains for the future to show. If the union should secure more members their efforts might lead to success. As to whether organization would bring about a better wage scale, I think the answer to that must come from other trades, in which the workers are organized and in which organization has established wage standards.

Mr. ROSWELL SKEEL, JR., addressed the Commission:

By Mr. ELKUS:

Q. Mr. Skeel, what is your profession? A. I am retired from active business, Mr. Elkus.

Q. You have been doing some investigating for the Commission as a volunteer? A. Yes, sir.

Q. What particular lines have you investigated and for what purpose? A. I acted as an investigator in the shirt industry, and in the paper box industry, and then I took up the investigation of covered and celluloid buttons by myself.

Q. That is the wages paid in those industries? A. Yes, sir.

Q. Will you tell us then what you did with reference to the button industry? A. In that investigation —

Q. That you did yourself? A. Yes, sir. In that investigation I scheduled 19 celluloid button and 40 covered button establishments and secured returns from 916 workers. So far as I can ascertain, my schedules cover about all of the celluloid button manufacturers in the Borough of Manhattan, some of whom make covered as well as celluloid buttons. The concensus of opinion seems to be that there are about 150 establishments in Manhattan Borough manufacturing covered buttons exclusively. Based upon this number I have scheduled more than one-fifth of the total, but as my schedules include all of the largest concerns I estimate that I have secured the individual returns of about one-fourth to one-third of all of the covered button factory employees.

The only noteworthy feature of a classification of employees by sex and age is the preponderance of workers under 25 years of age, of whom there are 675 out of a total of 916, that is 73.6 per cent. With regard to conjugal condition I find that there are 756 single persons out of a total of 916, so that 82½ per cent of all are unmarried.

Classifying the employees by nativity I find that about three-fourths were born in foreign countries, that is 671 out of 916, hence 73.2 per cent of all are foreign born. Thirteen different countries are represented. More than two-fifths of the total foreign born are Russians. Many of the foreign employees are recent arrivals in this country and speak little or no English. The factory proprietors have several times said to me, "I don't see how you can get answers to the questions on your cards as so many of the employees do not speak English." The majority of the single males are not members of a family group and live as boarders, as do the married males whose wives are in Europe.

Commissioner DREIER: Did you manage to get the information?

Mr. SKEEL: They were all willing to give me any information I asked for.

As to the rate of wages. Time rates prevail in all the occupations excepting that out of a total of 446 button makers 43 were piece workers. There is no uniform wage standard in the trade that I could discover. The wages appear to be determined entirely by the supply of workers, coupled with their necessity to work, and the opinion of the foreman as to individual efficiency. The employees are usually hired without a specific wage agreement, and after having been at work for one or more days the foreman fixes the wage, which the employee accepts if satisfactory. My fifth tabulation gives the specified rate of wages by occupations and shows a wide divergency in the wage rates. For instance, out of 99 button makers paid at a rate of less than \$6.50 a week, 69 are males and 30 are females, showing that the male learners predominate. There is about an equal number of male and female button makers receiving a wage rate between \$8 and \$8.99, but at the rate of \$9 and above there are 122 males and only 25 females, showing that a decided majority of those receiving the highest wages are men. Nearly half of all the male employees receive less than \$9 a week, and nearly half the females receive less than \$7. My next tabulation shows the actual earnings of the employees for the week preceding my schedules in each factory. Some of the smaller factories do not keep a payroll. In some cases the proprietors were absent and I could not secure access to the payroll and in such instances I had to rely upon the statements of employees as to their weekly rates and actual earnings. Over half of the males actually received less than \$9 a week and over half of the female employees received less than \$7.

There is a considerable difference between the specified rates and the amounts actually earned. The actual earnings fall below the rates quoted for employees as a whole. For example, whereas half the women were supposed to receive \$7.50 or less, more than half actually received less than \$7 for the weeks in which the investigation was made. Time did not permit of my scheduling from all the payrolls I inspected the total number of employees at work each week for the preceding 52 weeks, and the gross

amount of weekly wages paid. I did secure this form from several of the larger establishments and they reveal a wide difference between the number of employees at work in the busy and slack seasons, to wit:

| | Maximum number of employees | Minimum number of employees |
|--------------------|--------------------------------|--------------------------------|
| Schedule No. 1.... | 32 | 15 |
| " " 2.... | 164 | 87 |
| " " 3.... | 94 | 52 |
| " " 4 | 70 | 24 |
| Total | 360 | 178 |

One firm making covered buttons exclusively and manufacturing their own parts and dies shows a much smaller difference, the maximum number of employees being 46, and the minimum 33.

In response to my repeated inquiries of both employers and employees as to how many months in a year the average button-maker works, the response has been "from six to eight months." Some of the best workers have almost continuous employment, but the great majority are dropped in the slack seasons. To many such I put the question, "What, if any, kind of work do you find in your slack seasons?" In reply the following occupations were given: shirt waist operator, Western Union messenger, factory helper, errand boy, paper perforating machine operator, fan maker, retail store handy man, shoe salesman, stock clerk, elevator operator, shipping clerk, packer in department store, clerk in retail store, cutter in flag factory, porter, furrier, violinist, fruit stand peddler, waiter, painter's helper, push-cart peddler, leather belt maker, street photographer, door to door peddler.

Now classifying wage rates according to age I find that the great majority of males never reach \$15 a week, and that the \$14 level is attained only by about half of those forty years of age or older. The number of male employees over 21 years of age who received rates under \$10 is 107, and there are 104 female employees 18 years of age and over who receive rates under \$8.

My next tabulation shows that the actual earnings at each age are generally lower than the rates quoted. In no age group does a majority of men earn as much as \$12 until they reach the age of 45 or over. The rates of earnings of women do not show the same variation. This is partly explained by the fact that most of the female employees are engaged on time rates. It is plain, however, that the actual earnings of girls and women from 16 to 25 years fall below the rates that are usually quoted. My next table shows the increase of earning capacity with the years of experience in the trade. It will be noted that grouped by years of experience the majority of men in no group earn a wage of \$16 until after nine years or more in the business. The majority of women rise to the \$8 level only after five years' experience, and those who earn more than this amount are the exception.

Classifying wages by conjugal condition I find that the wage of the majority of single males is less than \$9 a week, whereas the married men center at about \$13. The few cases of widowers and divorced males show that their earnings are somewhat higher. This variation is, of course, due in the main to difference in age. The women show a similar tendency. The majority of single girls get less than \$7.50. For married women and widows the rates of the majority are \$8 or more. The earnings of all these classes are less than the rates quoted.

With regard to nativity I find that both rates and earnings of native males are less than those of men born abroad. The reason for this is perfectly clear. Many of the native male employees are boys and young men. There are 164 males between 14 and 17 years of age. About 90 of these are office and errand boys, who receive small wages. On comparing the rates and earnings of female employees I find on the other hand that the majority of native girls surpass those born abroad in earning capacity.

Finally, out of a total of 281 male button-makers, 245 are unmarried, and of these 140 live as boarders with either relatives or strangers, and 10 or more are married, but live as boarders, their wives being in Europe. The great majority of these boarders live at a low standard of living. From my conversations with many of the workers who live at home and who form one of a family group of wage earners, I can safely state that many such must

content themselves with the bare necessities of life. A large number of employers and employees unite in saying that "a married man cannot make a living as a covered button maker." The great preponderance of single males supports this statement, and it is evident that many of the employees are at work in these button industries for net annual wages that are insufficient or barely sufficient to maintain them.

By Commissioner GOMPERS:

Q. You say that manufacturers and others join in the statement that the trade does not afford a sufficient opportunity for the earning of wages? A. For a married man to make a living as a covered button maker. That seems to be a common statement.

Q. As a covered button maker? A. Yes, sir.

Q. Under the present conditions? A. Yes, sir, under the present conditions.

Q. That the conditions are capable of improvement, so that a living wage could be paid to the covered button maker, is not entirely improbable? A. No, sir, I think that this could be if they were organized, or if the industry was carried on by a comparatively few large establishments instead of so many small competitors.

Q. If the covered button makers were more intelligent and energetic and associated their effort rather than to be treated as individual by the employers? A. Yes, sir.

By Mr. BYRNE:

Q. In your investigations did you run across the fact that the law preventing working overtime reduced their earning capacity? A. Yes, I asked the question of several of the female employees, one in the employ of Mr. Byrne's firm. This was a woman who I think had been a button maker for twenty years, and who appeared to be in perfectly good health. When asked her opinion of the fifty-four hour a week law she replied that for years prior to the enactment of this law it had been her custom to work overtime in the busy season two or three evenings a week, and that during these periods of extra work she had increased her wage by \$2 or \$3 a week. She objected to the present law limiting her hours to fifty-four a week and said that she considered it a cur-

tailment of her liberty, and held that she should be permitted to work as much overtime as she chooses, saying that experience had shown that this overtime work did her no harm physically and that the overtime wages she had earned had provided her with a much needed increase in income.

Q. And from the personal investigations you made, and the information you obtained by seeing the working girls in their homes as well as in the plants, you naturally must have learned from them that that increase or added possibility of from 20 to 30 per cent. of their wages was very welcome and could do a world of good.

Commissioner GOMPERS: That is scarcely a question. That is an assertion of an alleged fact, easily disproved. If you desire to ask the witness any question you may do so but please do not base it on assertions of that character.

Mr. SKEEL: I would like to say that I put that same question to a number of female button makers or employees in the button factories and that some of them stated they did not wish to work overtime and would not do so under any conditions. They were quite satisfied with the fifty-four hour a week law. There was a decided divergence of opinion between them.

Commissioner DREIER: Did you ask those who preferred an unlimited day whether they would not prefer an eight-hour day with an increase of wages?

Mr. SKEEL: I never thought of such a question.

Mr. ELKUS: There is no law prohibiting the men from working overtime?

Mr. SKEEL: No, sir.

Mr. BYRNE: But you found that when the women could not work the men were practically superfluous employees?

Commissioner GOMPERS: In other words when the hours of labor of women were limited that the men could not continue to operate in the factories?

Mr. BYRNE: Yes, sir.

Commissioner GOMPERS: That held true in New England also when they were regulating the hours of labor in the cotton mills and men could not work when the women were not permitted to?

Mr. BYRNE: I do not think that that is true with regard to overtime in the button industry because it is largely individual work. There are distinctive lines in the button industry and the conditions Mr. Skeel found in our places will not be duplicated in many others and vice versa.

Commissioner GOMPERS: If you are going to make an argument for the presentation of a case it might be well for counsel to call you and have your statement in proper form and subject yourself to questioning of counsel and the members of the Commission. If you desire to ask Mr. Skeel a question you may do so, but as to your own establishments and conditions prevailing there, they are not the subject of inquiry at this moment.

Mr. SKEEL: I think I spoke of one particular case in your factory, Mr. Byrne, where the woman had been a button maker for about 20 years, and she said she objected to not being allowed to work overtime and considered it an infringement of her personal liberty.

By Mr. ELKUS:

Q. Do you know how much that particular woman earned?

A. I think she earned \$8.

Q. How long had she been working there? A. For about 20 years.

Mr. BYRNE: She gets \$8 a week but works 52 weeks in the year.

Q. How old was she? A. I should say about 40 or maybe older.

Q. Did she work piece work? A. She was a week worker.

Q. Then it didn't make any difference whether she worked overtime or not? A. If she worked overtime she made more money.

Q. They would have paid her more if she worked overtime?

A. Yes, sir.

Q. How much more? A. I don't know — was it time and a half?

Mr. BYRNE: She would get time and a half for overtime.

By Commissioner GOMPERS:

Q. Do you know the hours of labor prevailing in these establishments? A. I think generally 54 hours a week.

Q. Do you know how the 54 hours are distributed through the week? A. They vary.

Q. In this particular establishment? A. No, I don't recall. Mr. Byrne can answer that question.

Mr. KUNO: (Of the Rothschild-Kuno Button Works.) I would like to ask if Mr. Skeel had occasion to find out — we find in the millinery trade that learners get so and so much — if Mr. Skeel had occasion to find out what length of time it takes to become a button maker?

Mr. SKEEL: It varies very much. I should say four weeks to six weeks, depending upon the adaptability of the individual.

Mr. KUNO: May I ask you whether you consider this a skilled industry or skilled work, as compared with those who repair the dies, and whether you cannot teach a man to make a button in two minutes?

Mr. SKEEL: In the operation of button making, skill means speed and accuracy, in my judgment; whereas in the case of a tool maker, I call it a skilled trade because it requires three or four years of experience to learn how to perform the required operation, does it not?

Mr. KUNO: Yes.

Commissioner GOMPERS: Is there anything such as skilled work in the making of the buttons?

Mr. SKEEL: Not that I have discovered.

Commissioner GOMPERS: Covered or otherwise?

Mr. SKEEL: No, sir. Mr. Kuno and Mr. Byrne can answer the question much better than I can do.

Mr. PODELL: Did your investigation carry you far enough to ascertain whether the business would allow of some slight increase in the wages of the employees?

Mr. SKEEL: I made no investigation of profits. Time did not permit of my taking up that question.

Mrs. MARIE ORENSTEIN addressed the Commission:

By Mr. ELKUS:

Q. Mrs. Orenstein, what is your full name? A. Marie S. Orenstein.

Q. And are you an inspector in the Labor Department of the State of New York? A. I am.

Q. And were you detailed to work for the Factory Commission? A. Yes, sir.

Q. Did you make an investigation of workers in the department stores? A. I have interviewed workers in department stores and in the three industries that Dr. Woolston spoke of yesterday, that is the paper box, the confectionery trades and the shirt trades.

Q. For what purpose? A. To get detailed facts about their industrial histories, their personal history, and then also to find out where they lived and how they lived, that is to find what dollars and cents represent in actual living.

Q. And during what time did you make that investigation? A. Intermittently from October to August.

Q. October of 1913 to August of 1914? A. Yes.

Q. And how many people did you interview? A. Six hundred.

Q. You actually yourself saw 600 people? A. Yes, sir.

Q. Where did they live, what cities? A. It was all New York City that I did my work.

Q. In Greater New York? A. Yes, sir.

Q. And in what trades or occupations were they employed? A. I said in paper boxes, the confectionery trades, mercantile establishments and a few of other kinds of work.

Q. Now will you tell us just what you did generally and then give us some typical cases, if you can? A. What I have tried to

do is to give a composite picture of some sides of the working girl's life which I obtained by interviewing some 600 girls, as I have said, in the industries just mentioned. Among many facts one stood out very clearly, and that is the theory that girls living with their families can be self-supporting on less than girls living alone, is absolutely fallacious, because any deficiency in the girl's wage must be made up by other members of the family. Now this is what some of the girls themselves have told me: "Whenever I apply for a job in a store the manager asks me whether I live at home or not. The other day one took me on for \$5, saying that because I had a family I could live on that. Maybe I can when my father has a job." And another young woman says: "What is so discouraging as to know no matter how hard or how long I work, at no time do I make enough to wholly support myself, or tide me over a rainy day. Whenever I'm sick I must go to the free clinic or hospital, for I can't afford a doctor. Think of it, I have been a saleslady for thirteen years, and in large department stores at that, and am now getting \$7 a week."

Q. Did that girl live at home? A. This girl has lived both at home and out.

Even when the girl's wage is sufficient for self-support, she must often supplement the family income and must also bear the burden of unemployment and illness of other members of the family. Take the case of a sixteen-year old girl who turns cuffs all week for \$3.50. This sum represents more than half the family income, for her widowed mother peddles groceries, and together they support two small children. Dora's mother gets up at four o'clock to ply her trade.

Q. What is her mother? A. Grocery peddler. This girl must get up at 5:30 in the morning in order to get breakfast for the children and walk to the factory thirty blocks from her home. Or, there is Lucy, twenty-three years old, whose \$7 a week gotten by setting up boxes, is all her mother and young brother have to go on. She said to me pathetically: "The other week my mother turned away a good offer of marriage because she said I must work until my brother is old enough to work."

Q. What does the mother do in that case? A. She takes care of the house. She is an Italian woman.

And these are not isolated cases, but representative cases of great numbers of women, paid an individual, or less than an individual wage, and carrying family responsibilities.

With hundreds of girls thrown on their own resources, and away from their families, curiosity must naturally be aroused as to how and where these girls live. Numbers of them have found their way through friends or social agencies into subsidized homes for working girls. These homes are scattered throughout the city of New York, many of them in the neighborhood of big department stores. To a large extent, these homes are standardized, as are the offices, stores, and shops wherein the girls work, though they vary in details of appointment, management, and general atmosphere with the personality of the matron and the attitude of the committee.

Somewhat typical of these homes is one splendid old-fashioned house converted to this end. The parlor, genteel and shabby, with its soft, comfortable lounging chairs of subdued brown, is provided for the young women to receive and entertain their callers. A well equipped laundry is at the disposal of these girls. Board and lodging varies from \$3.50 to \$5 a week, depending upon the number occupying a room. In some dormitories there may be a dozen girls, other rooms may accommodate three or four, a few are fortunate or rich enough to have a room to themselves. The bed rooms are supplied with the essential furnishings, are clean, and made quite attractive by some of the boarders. After twelve o'clock midnight, the bolt is drawn, and entrance can not be obtained. Where they go later nobody can tell us.

Q. They are supposed to be home at twelve o'clock? A. Yes, sir. There is a provision that girls earning \$10 and less be admitted. Here evidently there is an admission on the part of some people that many working girls are not earning sufficient to cover their most essential needs to maintain themselves, and therefore philanthropists give subsidized homes to these girls.

Q. Is this a charitable institution? A. It is subsidized by a committee.

Q. That is it is not self-supporting? A. Far from it. "What is your policy toward a girl who falls below the standard of the home?" I asked a matron. "I talk over her misdemeanors with

her several times, counsel and warn her, and then, if she fails to come up to the requirements, I ask her to leave for one must be sacrificed to the many." Thus frequently the girl who is most defenseless and least capable of looking after herself is made even more so. What many girls have often tried to make me understand about living in these homes has been most happily put by Galsworthy when, in "The Pigeon," he says:

"I have been in three institutions. They are palaces. One may eat upon the floor. One little thing they lack, those palaces. It is the understanding of the human heart. In them tame birds pluck wild birds naked."

Mention might be made of one unique home, which is an anchored boat. Here cabins have been converted into comfortable bedrooms. Some rooms have bathtubs in them. One of the decks is utilized for outdoor sleeping. The girls and their friends have the freedom of the boat, decks, dining-room and reception salons. Rates are very reasonable, \$2.80 to \$3.50 for room and board. There is a freedom and ease about this place truly noteworthy. It is as if the hotel belonged to the girls. Life in these homes, which for its closeness and lack of privacy is like bivouac in the open, gives play to the best and the worst. Girls help one another out of financial straits and other difficulties. Yet one home had to close down and later reorganize because the common dormitories had become a fertile field for spreading vicious, dangerous and immoral information about street life, and prostitution.

It must be acknowledged that despite repressive and irksome though well intentioned discipline of these homes, girls obtain greater physical comfort and better nourishment on the whole than they usually find in the casual boarding house. Then there is the easily made acquaintanceship with those approaching their age and interests.

Yet despite some of the patent advantages, many girls prefer living with private families. The "Missus" of the immigrant shop girl is sometimes a relative or a friend — landsleute — this is considered by some more respectable, more safe, than living totally apart from kith and kin. Moreover the family, which is so often driving the wolf from the door, will countenance a falling behind in the board bill, when the girl is out of work.

"Don't I know what it means to be out of a job!" said one kind landlady. "She is like my own child, how could I put her out. The little we have will have to go a bit further for a while." On the other hand, the girls repay in kind, giving their services in every conceivable way, taking care of the children, helping with the laundry, washing dishes, etc.

Living thus, usually means a tiny room, opening into an air shaft, or an inner court, hung thick with bedding and washing. A bed nearly swallows the room, a chair, table, and indifferent cleanliness, poor light and ventilation. The meagre wardrobe, gotten together with such great effort and hard earned money hangs on the wall, covered with sheets. Most girls share a room of this sort, each paying \$3 or \$4 a month. Some few are fortunate enough to have a separate hall entrance, and thus have some privacy. Most, however, live in the very heart of the family, occupying passage room or the parlor which is used generally, sharing a lounge or a folding bed with a member of the family. Among Polish working girls, this question of congestion is fairly appalling. Mariska, a fagged out little laundress, who earns \$6 a week when she has a job, sleeps in a room rarely reached by daylight. It is shared by her brother and his bride. Beyond this is another occupied by a male lodger. In the kitchen and front room are also lodgers. Unspeakably dirty are the beds covered with sackcloth. This sort of living may be attributed to low standards, yet we might be just a little less concerned if the girl were earning a decent wage. For with it almost immediately comes a more decorous manner of life.

Q. How much does that girl earn? A. Six dollars when she was working.

Q. What did she do? A. She was a feeder in a laundry, feeding a mangle.

Privacy, which is so absolutely essential, particularly after a hard day's work, is almost unattainable by these girls. "Oh, for a place to myself. It's people all day and people all night. It's the ugly shop all day and this hideous tenement room at night. It's work all day, then coming home to wash and iron and sew. It's going without breakfast or an apple, it's scrimping together a

ten cent lunch. That's what my \$6 brings me," exclaimed a worn out, underfed young girl, who works in a basement tube room, of a department store. In department stores they have these tubes where the checks and change are sent.

Q. She makes change? A. Yes and sees that the checks and change are correct.

Q. Proceed. A. If she were an exception, she would not be so startling, but many of these girls have told me that two meals a day were their regular fare.

Board and furnished-room houses get their quota of working girls. The latter is a cheaper way of living and sometimes the longed for privacy is obtained. However, a young girl is not infrequently exposed to annoyances and dangers of all sorts.

Occasionally girls take a small flat. This means that every other need or pleasure is subordinated to the bare mechanism of living.

"Though we each earn \$9 a week steadily as saleswomen, it is only by most careful reckoning and constant scrimping that we pull the ends together," said two sisters living in a tiny two-room apartment. "Our work is without end and if we spend twenty-five cents a week on a show, we considered that a great extravagance."

The recreation and pleasure of these girls are often hectic and unwise, but it must be remembered that the girl who earns so little that she cannot afford any money for pleasure and recreation has little choice in this matter. She must take what others, particularly the men she knows, are willing to give her. Often wild dissipation makes a ready appeal to her mind and senses after a day of monotonous hard and uninteresting work, and breaks the tension of financial worries.

Not one but dozens of girls have said to me as Elsie did: "If my boy friends didn't take me, how could I ever go out? and I do so love it." Elsie wraps infant's wear for \$5 a week, standing at her job most of the time, though she has a spine curvature. Ever since she was fifteen years old she has had to help support the family. When her father died, she came to live in a working girl's home. After she has paid her board, carfare and twenty

cents for insurance — this she does no matter what happens, for it will assure her \$88 when she is twenty-five years' old and a decent burial at any time — eighty cents are left her for dressing, recreation and other exigencies of life. Yet she manages to look well dressed and neat at that. As she explained, "The milk of human kindness isn't all gone. One of my friends, a saleslady, who has many sisters, gives me their clothes. They're just a little worn, but otherwise fine. I buy my own underclothes, shoes and stockings, and my but doesn't money go fast." She startled me by saying she was about to sell her hair. "They told me it would bring me money. I had a sweetheart out West who asked me to marry him and that was the only way I could raise the money to get to him."

A vacation to Elsie and her kind always means running into great debt, for though she doesn't spend any more, her income is either reduced or stopped.

One well-meaning and sincerely troubled matron said to me: "Mary troubles me, she is so generous, so warm-hearted, so contrite when her evil ways are pointed out to her. The other night she flirted with a man across the street. It is true that she dropped him when he offered to take her into a saloon. But she does go to pictures, shows and dance halls with 'pick up' men and boys. We have a victrola and a piano for the girls and their friends to dance all they please, but that doesn't seem to suffice them." Mary earns \$7 a week in selling underwear. Half her wages are spent for food and keeping the roof over her head. All the remainder except \$1 she sends home to an invalid father. So how can Mary get her fun, if she is not taken out? When it's the breath of her nostrils, the greatest incentive to stand behind the counter all day. Of what use is it to say: "Then she should give up her play."

To entertain the thought for a moment that most young working girls' lives are just an alternation of work and play is alas far from true. There is a great deal of talk about the danger and sadness of dissipation in youth, too little is said of the stark poverty and monotony of youth's existence. Witness a girl of 18 saying: "Pleasure or fun, I don't know what it is. It's

either the clatter and burr of machines, when I'm lucky enough to have a job, or the four walls of a room and misery all about me. Just why one should go on living, makes me wonder. For a long while after I came to this country, I had but one idea, to end everything by taking gas or jumping out the window. My sister never took her eyes off me. Finally I got used to my misery. I saw everybody around me was not more fortunate or happy. Tell me, why should I have wanted to live in such awful poverty? To work all day, six days a week, for \$4.50. Now its little better, \$7 or \$8 when I'm working — goes further, but not far enough to have pleasure on."

Q. Who said this; I don't want to know her name? A. She is a Russian Jewish girl who has been here for about five years.

Q. At what does she work? A. She works at white goods.

Q. On a sewing machine? A. On a sewing machine.

Q. How much does she earn? A. She earns seven or eight dollars when she has work.

Q. How old is she? A. Twenty-one.

Q. How long has she been in this country, five years? A. Six years.

Many will echo Celia's desolate cry. She has known nothing but work since her thirteenth year. "Never have I been to moving pictures or taken out. The excursions that leave the pier make me jealous. I should be happy to just sit in the corner and read, only to be out like everybody else," she fairly sobbed.

Curiously enough few complain of work in itself. "The terrible part of work is that you never know Saturday when your envelope comes whether you're going to have a job Monday morning, and your one object in working is to save enough so that when you are laid off, you won't have to beg," said one saleslady who has been clerking seven years.

But not many can save enough against lean days. Elizabeth makes her \$3 in slack season — instead of the usual \$6 or \$7 — go by the process of elimination. "I eat 7 to 10 meals a week, instead of 21, and get no clothes and run into debt."

Girl after girl speaks of weeks, of months of idleness. Following newspaper ads, loitering about employment offices, finally

just wandering about the city, looking for "Girls wanted" signs, until in despair they wait for it to get busy again. No amount of thrift or industriousness or insight can adequately provide for these lapses in work. For instance, I know one saleslady who has worked 25 years — five years with her present firm — and out of \$10 a week has saved \$17.

Demoralizing and devastating to spirit and body is this casual and seasonal system of work. "When Mary worked overtime until 8 o'clock at the store, she would come home so tired that she'd drop into bed, shoes and all, poor child. And her eyes and head, they pained her so working all day, in the basement at the tubes, reading checks and counting change by electric light," said Mary's mother.

Since the public demands perhaps unconsciously, that clerks be well appearing, we may well understand that store management must bring pressure to bear upon women to look well. "You've got to look well dressed and up to date, if you want to get a job. They won't take you if you look poor and tacky." And since their pocket books are limited, girls sew far into the night, launder and mend, when they should be resting or playing. St. George's Working Girls club, composed of girls with an income of \$8 a week, found that saleswomen spent in a year for laundering one-half as much as for clothing. This sum was met by expenditure of sheer energy. Turning for a moment to their working day, see what their job demands of them. "Work wouldn't be so bad if you didn't feel pushed and rushed all the time," said many. "They're always nagging you in the stores about your book. If you don't come up to the standard, they don't want you," said a well-seasoned saleslady.

And an elderly saleswoman, out of a job, said pathetically: "Guess I'm ready for the scrap heap. I was making \$7 a week selling chinaware, and when I asked for a raise the head of the department said 'You know if you don't like the job we can get plenty of young girls to work for that, or even less,' so that shut me up."

Another saleswoman said to me: "You know the law says we are to have chairs, but its simply cruel the way they make us

stand up all day long in some departments. I've seen girls nearly fainting from tiredness at the end of the day."

Many complain to me of varicose veins and flat feet.

On the other hand, department stores, which are continually changing employees, are not without justification from a business point of view. They assert and justly so, that the girls are inefficient, thoughtless, uninterested. Since general department store work calls for ordinary intelligence, and ability only, the complaint must be lodged not against the girls alone, but beyond them, to the causes that makes them inefficient. Fatigue, undernourishment, unsatisfactory living conditions, are conceded to be causes of inefficiency. Where the blame for these conditions lies has already been made clear. I have asked many girls what they considered a minimum wage, and their calculations ranged from \$8 to \$12 curiously enough not gauged by their actual earnings. For a stripper, earning \$5.50, a girl earning \$7 with family responsibilities, a girl getting \$6 without family responsibilities, all set \$8 as a minimum. Another girl boarding and earning \$5 placed the minimum at \$10. "If you expect to save a bit, you must be getting \$12."

To the girl adrift, earning \$5 to \$8 a week, home rarely spells out comfort, quiet, rest, a place where fagged nerves and weary limbs depleted by the day's grind are recuperated. Nor is it because the girls are ignorant of, or indifferent to, a better manner of living. To forestall any misconception regarding these girls, it may be well to emphasize that they are not all newly arrived immigrants, with low standards of living, but a large proportion are American born and bred, living under conditions to which they vehemently object, yet are powerless to improve, because their pay envelope holds so little.

Need one point out that thousands of women in industry do not live in a manner to increase their working efficiency, add to their vitality, or conserve their potential power for motherhood. The shop girl, because she earns so little, and works so hard, lives in congested, frequently unseemly quarters, robbed of all quiet and privacy. Though often cruelly spent at the end of her day's work, she comes home to a frugal meal and to more toil.

Time and again starved in her play, ignorant, tempted in various ways — what a pitifully strange and widespread social waste she represents.

Commissioner GOMPERS: Does any one desire to ask the lady any questions?

(There was no response).

Mrs. IRENE OSGOOD ANDREWS addressed the Commission:

By Mr. ELKUS:

Q. Mrs. Andrews will you give your full name? A. Irene Osgood Andrews.

Q. Will you tell us some of your qualifications for investigation work? A. I am a graduate of the University of Wisconsin, and was factory inspector and special investigator for the Wisconsin Bureau of Labor for two years. I was head resident of the Northwestern University settlement in Chicago for a short time, and since that time have been assistant secretary of the American Association for Labor Legislation.

Q. Now you did some work in investigating certain causes and effects with reference to labor for this Commission? A. Yes.

Q. Will you tell us particularly what work you did? A. My work related entirely to the question of irregularity of employment in its relation to the living wage. It was confined entirely to that aspect and covered all industries for which information was available.

Q. How long were you at work making these investigations? A. Most of the time for four months.

Q. In what particular trade? A. I covered all trades, that is, I took that one point of irregularity of employment for as many trades as there was information.

Q. Will you proceed then, Mrs. Andrews? A. I would like to make my remarks very short on account of the lateness of the hour and perhaps I can file a memorandum of some of the other points. Also because so many of the speakers preceding me have brought out so clearly the relation between irregularity of employ-

ment and wages. For instance when we say a girl gets six dollars a week or eight dollars a week, I think those who have heard the testimony at these hearings will not now assume that you can multiply that six or eight dollars by fifty-two and say that \$312 or \$416 is her yearly income. That, I think, is one point that we have learned from these hearings so far.

I want to speak briefly and call your attention to what the girl with irregular employment is subject to. It is obvious of course to all of us that complete loss of work occurring when an employee is dropped entirely from a payroll of an establishment, means the stopping of all income, and the discouraging, often heart-breaking task of seeking a new job and going from place to place, really begging for work. At other times employees are only temporarily laid off, it may be for a few days at a time. One department may be closed for a short time or perhaps the entire establishment shuts down for a few weeks or few days, and in such a case the worker remains with the establishment and must simply wait until it is opened again. Such periods of irregular work, often extending over several months, are usually accompanied by a great deal of short time work, that is the employee stays on the payroll, but may have work for only a few hours a day for two or three days in the week or perhaps is entirely unemployed. What this irregularity in her employment means may be illustrated by the story of Katie who was a skilled garment worker, and for two months and a half during the year had no work at all, but of the remaining nine months and a half, which is a significant point that I want you to see, she had only three months full time work. During the other six and a half months she never had work for more than five days a week and sometimes for as little as two days a week. What that irregularity means to her income you can all judge for yourselves.

An illustration of how industry is at times run may be taken from one typical establishment. This establishment was shut down for two weeks entirely in July and also on two separate occasions in May and in June, losing five and a half days in this way, but in addition no less than 24 times during the dull half of the year, that is between January and July, from one to 21 departments were closed at various times for from one to three days

at a time. The smallest total number of days lost in this way was five and a half in three of the departments and the greatest number was 28½ days in one of the departments. In other departments the losses range between these two figures.

One of the most important factors in irregular employment was found in the enormous amount of shifting from place to place and from factory to factory which exists among practically all industrial workers. In New York City, for instance, in the year studied by the Factory Investigation Commission, 45 per cent, nearly half of the women employed in the confectionery industry, stayed only four weeks or less in the same place, and two-thirds of the employees stayed less than three months of the year. Only 12 per cent of them remained for 11 months or over. You can see the enormous amount of shifting that occurs in this industry.

Q. Is there any cause for that, Mrs. Andrews? A. I think the causes are quite mixed. The industry itself is quite disorganized, and of course we have the busy and rush seasons which a few employers, I am glad to say, have taken the trouble to smooth out, as far as possible, but only a few. We hope that more may do so.

Q. It can be remedied very largely, can it not, this rush season? A. In many industries it can be remedied. Some employers have done it and if a few have I do not see why others can not. In the paper box industry, we may say confectionery and paper boxes, about half of the employees remain only two months in the year. From ten to fifteen per cent remain 11 months or more. It is needless to go further in detail on this question.

The same situation occurs in practically all industries.

Another very interesting point on the question of shifting of workers, which will bring this point home very clearly I think, is that in some of the department stores in the city, in order to maintain an average force, that is an average force for the year of 1,460 workers, the store added to its payroll 2,605 and dropped from its payroll 2,657. In another department store to maintain an average force of 3,750 employees, it added to its payroll 12,159 and dropped from its payroll 10,382.

You can see what an enormous waste that is, not only to the

employer in his business, but what a social loss it is to the worker and to society in general.

Q. What do you say is the cause of that? A. Of course the outstanding cause is the fact that in the department stores work is seasonal. At Christmas time they have to have an enormous number of workers.

Q. They only come for a few weeks? A. Yes, sir.

Q. What is the other cause outside of the Christmas season?

A. I think that a part of it is due to the undisciplined and untrained character of the workers themselves. I think that is a very large factor.

Q. That is they want the change of going from one place to another, they are dissatisfied? A. Of course we must never forget that in most of these industries wages are very low and conditions are frequently bad, and a large number of the girls, if they can better their condition, change from place to place. That is one big element in addition.

Commissioner DREIER: Have you found any dismissal of the force and the taking on of a cheaper grade of worker; could that be any reason? A. We did not go into that question.

I may say that it is extremely difficult to get full statistics on irregular employment. It is shown most often on the question of the variation of wages, and upon actual earnings for a period of time. In order to learn more about this loss in earnings, we selected from the very best factories a group of the steadiest workers, all over 16 years of age, and all of them paid by the week. I wish you would notice that point particularly. These workers represented in every way a superior class of employees. Comparison was then made between the scheduled rate of pay per week and actual earnings per week. Out of 246 such workers in the paper box industry $3\frac{1}{2}$ per cent just equaled a schedule rate of pay; $2\frac{1}{2}$ per cent averaged more than their schedule rate of pay, while 94 per cent earned less than their schedule rate of pay. Of these 94 per cent who fell below their rate almost two-thirds lost over 10 per cent of their supposed earnings during the time they worked while one-fourth lost from 16 per cent to 25 per cent, and 15 per cent lost over a quarter of their supposed in-

come for the period. In the confectionery industry we selected a similar superior group of workers, 1,063. Out of this number about 2 per cent received above their schedule rate and 9 per cent received their rate while 89.7 per cent earned less than their scheduled rate. Of the 89 per cent to suffer a wage loss two-thirds lost more than 10 per cent of their rate and a quarter lost from 16 per cent to 25 per cent and nearly a fifth lost over a quarter of their supposed income. The average wage loss for the entire group was about 15 per cent of the scheduled rate. A girl who was rated at six dollars a week, who should have had an annual income of \$312 would in reality receive \$265; a girl at eight dollars a week, instead of an annual income of \$416, would receive \$353.50. These are statistics of large masses of girls, and in any average or aggregate extreme differences are smoothed down and the greater fluctuations disappear. If we want to realize the human side of the problem, how individual girls are affected by these wage differences, we must select individual instances of how much they get week by week. Three such representative workers were taken or employed nearly the whole year in factories. These were piece workers. Mary, Nancy and Mamie averaged in weekly wages \$7.10, \$5.69 and \$9.35 respectively.

Q. What trade? A. Confectionery.

Q. What are they, dippers? A. I don't recall. They were steady workers and not the shifting class of workers. Mary received as little as \$4.20 in one week and as much as \$10.01 in another. Nancy received only fifty cents one week and the next week she did not work at all. In another week she made only \$2.91, while in her best week she received \$8.79. Mamie's weekly wage average was between \$3.27 and \$14.37. We have here, therefore, differences of 58 per cent, 66 per cent and 72 per cent between the largest and the smallest weekly wages of these supposed steady, regular workers, and the surprising fact to those unfamiliar with present factory conditions is that nearly as great a variation was found in the wages of the time workers. I want to emphasize that fact, that there is not this tremendous difference that we are in the habit of thinking, between piece

workers and time workers. The time workers suffered just as much as the piece workers.

I want to speak just one moment on the question of dove-tailing employment. So many people say if Mary is thrown out of this job can she go over to Mr. Smith's factory and get a job. We averaged the employment figures for all of the industries that were investigated by the Commission, and we found that the busy season in all of the industries practically coincided. There would be slight variations, of course, but practically they coincided. Now in addition to this, in the question of dove-tailing we must consider also the question of skill. It is not easy for a girl that has been accustomed to doing one kind of work to suddenly drop into another factory and take up another kind of work. There is also the psychological effect which we cannot forget. And the very worst thing I think about dove-tailing is the moral and physical degeneration that must come from going from door to door and begging for a job. A girl gets to the point where if she has been working for \$8 a week she says, "Give me anything, I will work for \$3 a week if that is all I can get." That is the natural result.

Q. Of course, that also hampers their efficiency? A. Seriously so. I want also to bring out the fact that it is only the girl who is absolutely out of a job who can do this. So many of the girls remain on the payroll but they have this short time work which cuts down their income.

Q. Could that be avoided, Mrs. Andrews — the short time work — by the employer arranging his business differently? A. It has been avoided by some manufacturers. It has been done very nicely in the shoe industry and several other industries.

Q. Is that because of organization? A. It is largely because of organization in the industry. A few employers have realized that it is economy to them to do it. They have their overhead charges throughout the year and they feel that it is a loss to them if they are not working their establishment throughout the year, and therefore by planning ahead and selecting steady orders rather than temporary orders —

Q. It is an economic benefit to both, to the employer and the employee? A. Yes, sir.

Q. That has been found to be so? A. That has been found to be a decided advantage. I just want to close by saying that all of these facts which have been brought out here by the previous speakers seem to me to indicate very strongly the need of establishing a living wage board or commission in New York State, not only for the purpose of fixing a minimum rate of pay, but also to help regularize employment. It seems to me, in view of all of these facts that unless industry is regularized we must, in addition to what we consider a living wage, add to that possibly 15 per cent to cover the time lost by the girls through unemployment. We need such a board then to study conditions, to work with employers and employees in getting at the roots of the situation and to co-operate in bringing order out of the present chaotic condition of industrial management.

Mr. ELKUS: I think it only fair to Mrs. Andrews to say that besides preparing for the Commission a very valuable digest of all the laws affecting wage legislation in all the countries of the world and in all of the States of the United States, she has undertaken this investigation at practically little cost to the Commission and we are indebted to her for her work in both respects.

Commissioner GOMPERS: I am sure Mr. Elkus and Mr. Shientag expressed the Commission's appreciation and gratitude to Mrs. Andrews for her valuable work, not only for the Commission, but for the general welfare and betterment of the women workers, and for all of the people, and I may say at this point, this Commission in every question, has had the intelligent and sympathetic co-operation and services of a large number of good women and good men and that it has all contributed to the effort of the Commission to try and make things somewhat better in the lives of our women workers particularly, and our men workers incidentally and perhaps for the protection of the children.

The Commission has not undertaken to revolutionize industry. That would have been a most impracticable and unwise course to pursue, even if the Commission had the power. The interest which the people of the State and particularly of the city of New York have manifested in the investigations of the Commission

and that which the Commission has tried to do is a source of gratification. It is not within our knowledge as to whether at this time it is the desire of the Commission to have a new lease of life or to ask the Legislature for such a new lease. However, whether that be requested of the Legislature or if requested whether it is granted by the Legislature, is not a matter of immediate moment, but one which will receive the consideration of the Commission and of the Legislature later on. I think I bespeak the sentiment of the counsel as well as of the Commission for the kindly consideration of the general public, of the men and women of our State who are giving deep thought to the problems with which we are confronted, and the effort to find a way out, for protection against wrongs and evils and mismanagement, and to try and bring some little more light into the lives and hopes and the spirit of the men and women of our time, particularly those who toil, and to safeguard the children of our time for a better manhood and womanhood of the future, on which after all the safety and perpetuity of our republic must ultimately depend.

Mr. COHEN: Referring to the causes of unemployment, do you not believe that owing to the vocational disadvantage of the many young girls seeking in a certain field for employment, that that is also a great factor; that they are so often thrown out of work. I mean that because they are not adapted to the particular vocation in which they seek employment?

Mrs. ANDREWS: I think that is very true. The young people go in the industry very early. They are quite untrained and undisciplined and it is difficult for them to keep their work.

Mr. COHEN: I take it for granted that you are acquainted with the Boston Vocational Officer in the Public Schools; do you not believe that if these activities were spread more in other cities — let us say in New York — where a vocational adviser would interview boys and girls before they graduate from public school and thereby further advise them in what capacity or in what field they would be more successful than in others that this would eliminate probably a great many of the shiftings in position that we have now at the present time?

Mrs. ANDREWS: Yes, I think that would be a very great factor. I think any system of industrial training that is not connected very closely with the labor exchange or with some authority that can give them information concerning the opportunities in industries will be a failure, because otherwise they would be simply going into occupations that are already overcrowded.

Mr. DIETZ: In reference to unemployment do you not think that the main cause of unemployment is the fact that the employer is unable at certain periods of the time to avail himself of the opportunities of giving these employees jobs; in other words he is in a position where it is not profitable for him to employ them?

Mrs. ANDREWS: That is obviously true. It is his duty to study his business and be able to give them employment as far as possible.

Mr. STONE: I would like to ask Mrs. Andrews whether it is possible in an industry like the garment industry, making cloaks and suits and waists, with the fluctuations in styles, where it is impossible to make up stock for future use, whether she sees any possibility of the employer studying the employment and spreading it over a year?

Mrs. ANDREWS: I must plead guilty to that. I do think we women are very largely responsible for the fluctuation in the garment industry, and I do think you have a very serious problem there, but possibly if you bring a little pressure, all working together might be able to help.

Mr. COHEN: Do you think it is possible to change the ideas of women on that?

Mrs. ANDREWS: That is not impossible. Women are becoming more rational on the question of dress.

Commissioner DREIER: Isn't it true that the most efficient designers of the details of dress are men?

Mrs. ANDREWS: Yes, that is true.

Mr. ELKUS: Mr. Chairman, as was announced at the opening of these two days of hearings, these facts have been presented and will be available for any one who desires them and at some future time — in the near future there will be hearings held for the discussion of conclusions upon these facts, that is, upon recommendations or suggestions as to recommendations. Those dates will be announced later.

The CHAIRMAN: The Commission will take a recess subject to the call of the Chair.

**HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATING COMMISSION, HELD IN THE
HALL OF RECORDS, SURROGATES COURT
ROOM, MONDAY, JANUARY 4, 1915,
AT 10:30 A. M.**

Present — HON. ROBERT F. WAGNER, *Chairman*.
HON. CHARLES M. HAMILTON,
HON. ALFRED E. SMITH,
MR. SAMUEL GOMPERS,
MISS MARY E. DREIER,
Commissioners.

Appearances. — HON. ABRAM I. ELKUS, *Chief Counsel*.
BERNARD L. SHIENTAG, *Assistant Counsel*.

SUBJECT: MINIMUM WAGE.

Mr. ELKUS: I understand that Mr. Charles Francis of the Charles Francis Press desires to be heard and I have some letters and documents that I want to have put on the record, so with your permission, Mr. Chairman, we won't wait for the other members but will go ahead as far as we can. The Commission sent a letter after the last hearing to every concern, corporation and co-partnership whose business had been investigated, telling them of the hearings which have been had and the report which had been made by Dr. Woolston. That report is in type and has been sent to a number of people for investigation and examination, the idea of this hearing today, tomorrow and Saturday being this: Dr. Woolston made his detailed report, giving orally the substance of it, stating what had been accomplished by his investigators and giving his conclusions, and the other investigators have also made their reports. Time was then given to those who desired to discuss these reports and give their views upon the whole question at these hearings, so that those who come here are in a position to

know what facts have been brought to the attention of the Commission and, if they wish, give any additional facts and also give their views on this subject, so that the Commission may be prepared to make recommendations to the Legislature upon the question of the minimum wage.

Of course it is understood that the Commission has formed no opinion or conclusion upon the subject at this time. Now in order that there may be no misunderstanding, and that hereafter no one may say that facts which the Commission had gathered were inaccurate, the Commission sent this letter to every concern which had been investigated by the Commission or its agents which I will read with your permission:

"My Dear Sir.—The Commission will hold a public hearing to consider the subject of wages, and to hear suggestions from those interested concerning the advisability of enacting some form of wage legislation for New York State. The hearing will be held on Thursday, January 7, 1915, at 10:30 A. M., in Room 504 of the Surrogates Court, in the Hall of Records, Chambers Street, New York City. The Commission would like very much to have you appear at this hearing and bring to its attention whatever facts you desire with reference to wages and the wage problem generally, and to make any suggestions and recommendations on the subject that you deem advisable.

We should be glad to hear you fully, and to call any witnesses that you desire.

We are particularly anxious to have you appear personally because yours is one of the establishments in which detailed wage statistics were gathered by the Commission's investigators, and we feel that your testimony would be of help to us in formulating our recommendations to the Legislature. The Commission is of course empowered to compel the attendance of witnesses by subpoena, but we prefer that such attendance be voluntary.

I hope that you will avail yourself of this invitation, and would appreciate it very much if you would notify the counsel to the Commission at your earliest convenience whether you will be present.

Yours very truly,

ROBERT F. WAGNER,
Chairman."

That was sent by the Chairman of the Commission, Senator Wagner. There was sent to each of the persons interested printed copies of the report of the director with reference to the paper box industry in New York City; the report of the director with reference to the confectionery industry in New York City, and the report of Miss Van Kleeck for the Commission on wages in the millinery trade, and, as I said before, advance copies of Dr. Woolston's complete report.

MR. CHARLES FRANCIS addressed the Commission.

By MR. ELKUS:

Q. Your full name is Charles Francis? A. Yes.

Q. And you are president of the Charles Francis Press? A. I am.

Q. And that is engaged in what business? A. In the printing business.

Q. In this city? A. In this city.

Q. Whereabouts? A. Thirty West Thirteenth street.

Q. We will be very glad to hear what you have to say, Mr. Francis? A. The most that I have to say was contained in the letter of Judge Ommen, which was sent out by Judge Ommen as counsel for the Typothetae some time ago and is contained in this communication here. I at that time investigated the matter very closely and gave it careful attention. Since then I have been very busy and have been unable to give it further attention, and this contains practically the whole of the conclusions which I drew on the subject of the minimum wage or any minimum wage legislation.

Q. What is your conclusion? A. My conclusion is that insofar as the State is concerned it would be much better left alone.

Q. In your business do you employ women as well as men? A. I do.

Q. What wages do you pay the women? A. The average wage of the women in the bindery is about \$12.00. In the composition room where they work alongside of the men it is fully as much as the men earn, four dollars a day.

Q. So that the minimum wage law, if there was such a thing, which made a minimum wage of eight or nine dollars a week would not affect you at all? A. Yes it would.

Q. In what way? A. In the fact that it would interfere with the average. We have to have some people not as competent as others.

Q. When you say twelve dollars a week you mean that is the average? A. That is the average.

Q. What is the maximum wage for women? A. The minimum wage would probably be eight dollars.

Q. Am I correct then, Mr. Francis, in understanding you to say, that no woman is paid less than eight dollars a week? A. She may earn less on piece work.

Q. What is the lowest sum paid to women on piece work? A. The average would not be less than that.

Q. On piece work? A. Yes, sir.

Q. And binding? A. In the piece work and binding.

Q. Now will you give your reasons for your views about the matter? We will be very glad to have them. A. I have been in the printing business for something over half a century, and also in various countries. In New Zealand, in Australia, in England, and in the United States, I have found that wherever legislation attempted to interfere with the minimum wage that it was usually a failure, because the workers will take care of that themselves. I would state that at the present time I am running what they call a closed shop, a union shop, and I pay practically the maximum wages that are being paid in the business. I aim to have the workers work with me rather than for me.

Q. May I interrupt you to ask you a question? A. Certainly.

Q. You say where there was minimum wage legislation where you were familiar with it, by the state, it was a failure; now in what states or countries were you in where such legislation was had? A. They attempted that in New Zealand, and, at this time — it is so long ago I can not tell you why it was a failure.

Q. How long ago was that? A. That was in 1867 and 1868.

Q. Was that for men or women and children? A. It was for all.

Q. You don't know why it was a failure? A. No.

Q. Is that the only country or state where you know of it being a failure? A. Where it has been the subject of legislation.

Q. Are you familiar with the fact that there has been minimum wage legislation in several of the states of the union? A. Yes.

Q. Do you know anything about it there? A. I do not, in those states.

Q. So that you are not prepared to say there whether it was a failure or success? A. I am not.

Q. Your views are given about something that happened in 1867 in New Zealand? A. In New Zealand.

Q. Don't you know Mr. Francis that in New Zealand today they have minimum wage legislation? A. Yes but they have an entirely different plan of organization.

Q. But they have some system? A. Some system.

Q. And it has been going on since the '70s, for the last 40 or 45 years, in that length of time — some years? A. Yes.

Q. I don't care particularly about how long, but for a number of years? A. Yes.

Q. Do you know what the system is there now? A. I do not.

Q. Do you know whether it is successful there or not? A. I know their general plan is successful but it is an entirely different plan from what is proposed here.

Q. There is no plan proposed here; what plan do you understand there is proposed here? A. They take care of the employer as well as the employe.

Q. What we are trying to do is to get a plan, so if you have an idea there is some plan proposed here you are mistaken? A. If you wish me to state the plan that I think would be effective —

Q. That is what we would like to get your views upon? A. I will state that very distinctly, if you are going to make a minimum wage, which minimum wage would become the standard wage, because that would be the standard wage, it could not be anything else, — it does that invariably — you can take any nation that establishes the minimum wage and that minimum wage is the standard wage and if you are going to establish the standard wage then there is a standard expense and I think if the government undertakes to do that that it should also undertake to make a standard price for the work, which is the employer's end of the proposition.

Q. I do not think that anybody ever suggested that, to fix a minimum wage and a minimum price — however go right ahead Mr. Francis? A. That is the point that I make, and if that standard price was made then it ought to be made on a scientific

basis which would give the employer a proper profit for his business. If the state is going to step in and state how much an employer shall pay for his labor which he is selling then it should state also a standard price which he should get for that labor which he sells, enabling him to make a reasonable profit.

Q. Have you any further suggestions to make; what was the plan you had in mind; was that the plan you meant you had in mind? A. That is the plan I have in mind, yes.

Q. Now do you draw any distinction between fixing a minimum wage or having a board fix wages in different trades where women are employed or minors other than men? A. I don't like that question the way it is put.

Q. Answer it any way you like? A. If you take the children out of that question, and I say I think they ought to be placed upon an equal basis — children have got to be protected — they have got to be taken care of.

By Commissioner DREIER:

Q. Do you mean there is a minimum wage for children, and one for women, is that your idea? A. No I don't believe in a minimum wage at all because I think it will regulate itself in the matter of business.

By Mr. ELKUS:

Q. In what way? A. I mean if there is going to be any legislation in regard to the question of wage at all it should be upon an equal basis for women and men.

Q. How about minors? A. Minors I think would have to be taken care of in some way.

Q. By the State? A. I don't think by the State.

Q. How would you suggest that they be taken care of? A. In a general sense, I think, they should be taken care of in the ordinary business way that they have been taken care of for years. For instance you can take in our business many years ago when an apprentice came into the business he had to pay some twenty or fifty pounds in England for the privilege of learning the business and he got but little if any wages for the first two or three years. That has been practically discontinued.

Q. Your business Mr. Francis is what might be called a skilled business, it requires skill for anybody who is employed in it? A. It requires skill.

Q. Now you say that wages are regulated in a general way by business, that is you mean in businesses like yours the employees are associated together and have an association which takes care of their interests in the matter of wages and hours and so forth, is that right? A. Yes, perhaps it might be well for me to explain the association which we have. We have an organization called the Printers League of America, which is for nothing else but the establishment of wages. We employ union labor. All the employers of this organization employ union labor and they have a peace compact with the unions which states they will employ their members and that all negotiations shall be on the basis of consultation, conciliation and final arbitration on any question that comes up; no strikes, no lockouts, and we have found it to be eminently successful. We have had two arbitrations since this went into effect in the latter part of 1906, and those two arbitrations were perfectly satisfactory to both parties. Everything else has been settled between the unions and our organizations by methods of consultation and conciliation.

Q. So you have no objection to your employees organizing?

A. I would rather they would.

Q. Because you then have a responsible body to deal with? A. Yes.

Q. Now are you familiar at all Mr. Francis with the amount of wages paid to women and minors in employments which do not require much skill or training and where they are not organized? A. I have very little experience in regard to other businesses than the printing business.

Q. Have you any information yourself as to what is a living wage for women to live upon in this city? A. That is a very difficult question.

Q. Now it appeared before the commission that there were hundreds or thousands of women receiving four and four dollars and a half of week and five dollars a week and six dollars a week,

as well as men, but I am talking of women alone; from your experience as an employer employing women are you able to say and can you say whether or not that is a living wage in this city? A. Well, I should think it was pretty low but there are other things to be taken into consideration in regard to that same thing, and that is this: For instance you take a person who is not expert, even though it is not an expert, scientific proposition you are going into, if they are not accustomed to the work, anybody who goes into a position of that kind will take at least three, four or five weeks before they will be worth anything to the employer, and during that time it has been the custom in some instances I know of to hold them two weeks on absolutely nothing.

Q. I am not talking about the preparatory period; we are talking about where the average wage for years has been the amount stated? A. Wouldn't that standard wage apply to them the same as anybody else?

Q. I don't know, I just want to get your opinion as an employer? A. In the preparatory stage I should say it ought not to apply.

Q. But after the preparatory stage is over? A. After the preparatory stage I should think they ought to receive enough to live on anyway.

Q. Are you prepared to say what you think would be a living wage? A. I am not.

Q. Now do you know of any other way, where wages are below the living wage, do you know of any way by which they can be raised except by either a union or an organization of working people or by governmental action? A. In every case I should think that the commercialism of the proposition would take care of itself. There are certain things upon which you can not afford to pay more than a certain price. Now it may be that you can get that labor or you can not get that labor and the commercialism of it is just merely this, you can either do those things, that is you can either hire that labor at that price or you can go without the business.

Q. You mean it is regulated by the law of supply and demand? A. Yes. Another thing I would like to state right here

is this, that the wages in New York City, as a rule, are very much higher than they are in any city in the United States, especially in our line of business.

Q. Isn't that because in your line of business the employees are so well organized? A. That is partially the reason, and at least fifty per cent. of the work that emanates in New York is not done in New York City, it is done outside, and a person on a minimum wage can afford to live in a country town very much cheaper than they could in New York City.

Q. That is the reason I take it that wages are smaller outside the State or outside the city, that is because the expense of living is smaller as well as lack of organization? A. They may be smaller in size and yet greater in purchasing power.

Q. Then is it your opinion that no matter how low the wage may be paid to women or children that there should be no action by the government at all? A. That is my opinion.

Q. You think the employees should be left to organize themselves or the matter should be left so that the employer may employ labor as cheap as he can get it? A. I think that is the commercialism of the whole proposition?

Q. You think it should be left to a purely commercial proposition? A. I certainly do.

Q. And that the State should not interfere and has no interest in the matter? A. If they do interfere they ought to go further.

Q. They should not interfere unless they are willing to guarantee to the employer his price for the merchandise? A. A proper return for the work he is doing.

Q. In other words, if it was disclosed that there were in this city hundreds and thousands of women who because they were unable to organize were receiving salaries of four or five dollars a week, which turned out to be less than a fairly living wage, that nothing should be done in their cases whatever but the matter should be left to right itself on a commercial basis? A. I believe that is the only basis upon which it can be done.

Q. Now suppose it turned out, Mr. Francis, that because these women and minors received these wages, they were really a burden upon the public and upon the State and had to be taken

care of in other ways for the balance of their living expenses would that alter your opinion in any way? A. It might. I should have to have it proved first.

Q. Assume as a matter of fact that it was so? A. Don't we assume as a matter of fact that these minimum wage people are members of a family, of which the head may be receiving a pretty high price while those who are coming into the factory are earning a smaller wage and assisting in their living and making their living?

Q. You think that it is an excuse then, as I understand you, for paying a low wage to a person less than a living wage, or what they are entitled to, that somebody else in the family is earning more than enough and can support them or partially support them? A. I think it stands to reason that the father of the family should have sufficient to help his own family into a proper position.

Q. What I mean is this, if because the man who is at the head of a family earns twenty dollars a week, we will say, is that sufficient reason why his daughter who is 21 years of age should only receive four or five dollars a week? A. If that is all she can earn, yes.

Q. Although it is conceded that it is not a living wage for her herself? A. I don't see that that question is material in the proposition.

Q. Then would you determine the wages of a woman working in a factory on a different basis if she lived at home than if she had to be self-supporting; I am asking for your information; we want to get your views on the subject? A. I should disagree with the whole proposition.

Q. You say that perhaps these people are not dependent because they live at home; when you say you disagree with the proposition you mean that should not be considered at all; whether she lives at home or not? A. I don't see how you can interfere with the family relations of the parties who are applying for work.

Q. No, but would the fact that she lived at home have anything to do with her? A. It might from her standpoint.

Q. But not from yours? A. From our standpoint it would be just merely what she could earn.

Q. In your business whether a girl lives at home or not does not make any difference? A. Very little because they get the same price anyway.

Q. They get the same price whether they live at home or not? A. Exactly.

Q. Isn't it a fact, unless a girl is supported by some other person, either in a family or out of a family, if she receives less than a living wage the State must in some way either directly or indirectly take care of her? A. I can't see that.

Q. I say unless she lives with her family? A. Unless she lives —

Q. Yes? A. Well that might be and might not be.

Q. And isn't that then a shifting of the burden of taking care of the girl from her employer by not paying her a decent wage to the public generally? A. I can't see where the State comes in in the proposition. I think the commerciality of the proposition would take care of itself.

By Commissioner DREIER:

Q. Mr. Francis don't you think an industry ought to pay its employees wages upon which they can live? A. If it is put in in that way, yes.

Q. What would you do with an industry which is not paying, apparently not paying wages, upon which the great majority of the people who are working in that industry can live? A. Sometimes I consider it is impossible for the employer of labor to pay any such wages and that the thing must regulate itself, and if they are assisted they must be assisted in some other way.

Q. Would you have them assisted by having a special pension for them? A. I think that the family relationship would be the proper plan.

Q. In other words, if a woman was supported partially by her husband or her father, the fact that she worked eight or nine hours a day in the factory would not of necessity give her the right to earn a living wage — a wage upon which she can live?

A. Not unless she can earn it commercially, because the commerciality of this whole proposition is the real action. It is the business of the whole community. If for instance I can only get a certain price for goods it is up to me to get them manufactured at a little less than that in order to leave a margin for the employer. It can't be done in any other way.

Q. You don't think the margin to the employer is too high sometimes? A. Judging by my own experience no, I do not think so, and judging by the experience I have had in looking over the financial condition of our business I should say it was a very small amount that the employer got. I mean the general employers of the city in our line of business.

By Mr. ELKUS:

Q. How long is it since the employees of the printing trades have been organized, the women? A. The women fifteen years.

Q. Before that were their wages smaller or larger? A. Smaller.

Q. How much did they get then on the average? A. Well I presume the advance has been 35 per cent.

Q. Since organization? A. About that.

Q. And you as an employer say it was a very good thing they did organize from the manufacturer's standpoint? A. No, I don't say that, I say I would sooner have them organized than unorganized because instead of dealing with every individual in your place you deal with the whole body as a union.

Q. I don't want to misquote you; were you opposed to organization or in favor of it? A. I have never been opposed to organization for the protection of the working people.

By Mr. OMMEN:

Q. Mr. Francis, the question of wages in the printing industry, for example, what percentage of the cost is that in the manufacture of the articles? A. From 90 to 95 per cent.

Q. And you base the price of your products on the price of your wages? A. Exactly.

Q. And if your wages go up the price of your product must go up? A. Yes.

Q. Now if that were prevalent in every wage earning business can you see where the opportunity for women to have any more money than they have at present would come out? A. That would leave the impression with me that it would be a cheapening of the dollar; in other words it would not purchase as much.

Q. If it were universally adopted in this State it would raise the price of products in every industry the same as it would in the printing industry and the woman herself would not have any more to live on than she has to-day? A. That is exactly what I mean, the dollar would not purchase as much.

Q. So that there would be no benefit to the women by having a minimum wage if you raise the price of the things they have to buy? A. Not a particle.

By Mr. ELKUS:

Q. And yet you would be opposed even though it had no benefit to the women? A. I don't get that exactly.

Q. I understood you to say to Judge Ommen that if the minimum wage was established or some wage was fixed, and wages were increased, that that would only be an artificial raise and would not be any real raise or any real benefit, is that right? A. It would upset the business because you would have to raise your price proportionally and that is a very difficult thing to do.

Q. And as I understand you to say it would not be of any benefit to the women who were supposed to be benefited? A. I do not think it would be of much benefit to them.

Q. It would be some? A. I do not think it would be any.

Q. I just wanted to get your opinion; you would still oppose it although it would not be of any benefit? A. I oppose it on the basis that it would not be any benefit.

Q. Now when the wages were increased 35 per cent., after the women were organized, did your prices for printing go up or go down? A. The prices for binding — it is more on the binding than on the other because in the printing business a woman is exactly on the same basis as the man.

Q. Did prices go up or go down? A. They went up.

Q. Are they more to-day than they were fifteen years ago?
A. They certainly are.

Q. How much more? A. As much as the wages.

Q. Thirty-five per cent. more? A. Thirty-five per cent. more.

Q. And yet the women receive more in the printing industry than in other trades? A. They do but their purchasing power is not that much.

Q. You think they are no better off than they were when they got four dollars a week fifteen years ago? A. I might explain that on this basis; for instance when I left England the wages of a compositor were nine dollars a week. The wages of a compositor in the United States was eighteen dollars per week, and I was asked the question where the difference came in between the United States and England. I said if you can save a dollar a week on the nine dollars in England and two dollars in the United States and if you go back to England to spend it you will make two dollars but otherwise you will not.

Q. How about living here? A. Living here will cost you twice as much; it would at that time.

Q. At that time. A. At that time.

Q. But not now? A. I couldn't say.

Q. When was that? A. 1871-78.

By Mr. OMMEN:

Q. So that you base this on the ground that it would be of no benefit to the women or to the community? A. That's it exactly.

Q. Do you also base it on the ground that it is an interference on the part of the State with the proper conduct of business? A. Exactly.

Q. Now what is your opinion as to the effect on the efficiency of the average woman or man that works in your place if a minimum wage were created? A. It would tend to a certain extent to destroy that efficiency without a doubt.

Commissioner DREIER: Why?

Mr. FRANCIS: Because they would know if they were going to get a certain wage and they would not be placed upon the basis of their production.

By Mr. ELKUS:

Q. Isn't it a fact now that by your agreement with the unions they really have a minimum wage? A. In consultation for the benefit of the business.

Q. You mean by agreement? A. Yes and consultation.

Q. But that is fixed as a minimum wage? A. It is.

Q. That does not demoralize the men and women does it? A. It is fixed as a minimum wage with certain restrictions, restrictions as to apprentices and cheaper labor.

Q. But as a matter of fact you now fix in your business what some people might like to have the State do? A. Some people might like to have the State do it but —

Q. You fix by agreement what some people want the State to do; now supposing it was so created by the State which said that employees might agree with their employers upon a wage, through association or otherwise, and that if they could not agree, or, rather, put it this way, if no minimum wage could be fixed then this board should have the power to fix a minimum wage after hearing all parties? A. That is where I think the interference comes with the business.

Q. There should not be such interference? A. No.

Q. Suppose the people could not organize or were too weak to organize the employees would you suggest a remedy in that case? A. I can not see any reason in that case; the competition would make the remedy.

By Commissioner DREIER:

Q. Mr. Francis, if you had a wage board — take the millinery trade for example — composed of an equal number of employers and employees wouldn't that be exactly the thing you have now in your trade? A. Yes.

Q. And if their decision should be accepted or the State would say the decision of this board as to the minimum wage to be paid shall be accepted by the trade in question, isn't that practically the same thing you have? A. Except this one point, that each one of those are elected from a business which they know something about.

Q. That would be the idea in the wage board; they should be elected by the people they represent? A. I do not see that that would be any different from what it is to-day.

Q. Except that this may possibly be enforcing it in trades where there is no organization? A. I believe in one thing, I believe in fairness between the employer and employee and have always done so, and I think I bear a good reputation on that score, and I have always tried to put the employees upon as good a basis as it was possible to do commercially.

Q. If a wage board like this was created wouldn't it be to the advantage of the employer to have the State say if these employers and employees decide that the minimum wage shall be whatever it may be, six, eight or nine dollars, wouldn't it be of advantage to the employer to have that rule apply to the whole trade; there would not be any unfair competition in wages then, would there? A. I rather think that that would be interfering because of the fact that it would be impossible to regulate the scale of wages in the different towns. Take New York and the surrounding towns. Now if there were a commission in each little village, and if it is going to be a determination by a party who is just merely here in New York it would not be fair to those of the country and vice versa.

Q. If that could be overcome might it not be a very desirable thing? A. It might be if it could be arranged, but it has to be arranged by those who know the business they are working in.

By Mr. OMMEN:

Q. Is not the rate of wages regulated considerably by the number of workers who are available for an industry? A. Yes it certainly is.

Q. What would be the effect on the persons who receive a minimum wage if business was rather poor? A. I think the minimum wage would tend to depreciate the output of the organization without a doubt—that is if it was a State law—it would tend to diminish the product.

By Commissioner DREIER:

Mr. Valentine, who is chairman of the Brush Wage Board in Massachusetts said to me that in going through the brush industries he found that the women were so under-nourished that they really could not be efficient and they could not do their very best work because they did not have enough stamina; now isn't it possible if they have a wage upon which they can get enough to eat and nourish themselves that after all their efficiency will be increased? A. I should think the employers could see that themselves.

Q. They don't always see it though; you will have to admit that? (The witness made no reply but smiled.)

By Mr. OMMEN:

Q. Now do you think that the establishment of a minimum wage would have any effect on the individual with respect to his desire to do better work, to produce a larger quantity, to be an efficient worker in the business; what is your opinion as to the effect of the minimum wage on the worker himself with his ambitions and his desire to work out his career in life? A. I think it would have a detrimental effect.

By Commissioner DREIER:

Q. Is there any career in life for pasting paper boxes at the rate of one hundred for ten cents? A. Yes, possibly a career for a woman.

Q. What is the career for a woman who dips chocolates all day long or all her life long, what is the possibility of a career for her? A. There is one thing that is very evident and that is that those positions must be filled.

Q. Quite so? A. And if a person is unfortunate enough not to be able to raise themselves above that position then they remain in that class, but it has been my general experience that if anybody has shown any real ability that they never remain in that position continually.

Q. You think there is opportunity for everybody who has push? A. Yes.

By Mr. OMMEN:

Q. You mean that the woman who is the best chocolate dipper in the business can get a better job? A. Is going to get a better job.

Q. What job do you think it might be, one of the factory commission? A. I couldn't say. I have been an employer for a good many years and I have always found this; it doesn't matter what a man or woman is doing, if they show energy and perseverance and they want to go ahead they will go ahead.

Q. They don't necessarily have to remain a chocolate dipper? A. No.

Q. Do you think they would be more inclined to remain a chocolate dipper if they had a minimum wage than if they had not? A. If that wage was high enough, yes, I think they would be satisfied to remain right there.

Q. You mean if it was a very high wage? A. Yes.

Q. Don't you find Mr. Francis that in the industry where a woman shows ability and knowledge and push that she gets high wages as a forelady or as an assistant forelady, higher than she does than if she remains at the bench? A. Yes, even as one of the general hands.

Q. As a general hand she gets higher wages? A. Yes.

Q. That is to say if she shows better results with her work and is interested in the concern she gets it? A. If she can shift around from one thing to another and can do each thing equally well, or to a certain extent equally well, she will certainly get more than if she can do one thing.

Commissioner DREIER: Do you make it possible for your employees to be benefited?

Mr. FRANCIS: Yes.

Mr. BLOOMINGDALE: May I put upon the record, in response to your invitation to these gentlemen the Retail Dry Goods Association to state whatever facts they may have, that they do not contradict the facts and conclusions of Dr. Woolston and have no doubt they were honestly collected and honestly collated, but as it has taken the commission six months in time with a body of

experts to go over it we do not wish by default to concede what is there and at the same time we are not in a position to controvert it.

Mr. ELKUS: That applies to all of the members of the Retail Dry Goods Association?

Mr. BLOOMINGDALE: Yes.

Mr. ELKUS: Mr. Bloomingdale you received an invitation from the commission some time ago to examine the records of the commission as to each establishment?

Mr. BLOOMINGDALE: Did I?

Mr. ELKUS: Yes, each individual member of your association?

Mr. BLOOMINGDALE: It may be so, but the work of examining statistics for one who is not accustomed to it is so intricate that I prefer to have this go on the record for I believe the facts have been honestly collected and honestly set forth.

Mr. PERCY S. STRAUS addressed the Commission:

By Mr. ELKUS:

Q. You are the president of the Retail Dry Goods Association now? A. Yes, sir.

Q. You are a member of what firm? A. R. H. Macy & Co.

Q. And you have had sent to you for some time for your consideration the report of Dr. Woolston? A. Is this the one you refer to? (Indicating.)

Q. Yes? A. I received that on Monday.

Q. We should be very glad to have you tell us your views on this whole subject — you have received this questionnaire which was sent out by the Commission? A. Yes I think we must have received that. What I wanted to do particularly was to refer to a few points in this report which was sent to us on Monday. On the whole I felt that the subject and the treatment of the subject so far as I could judge of it was very fair but there were a few points which I thought if they could not be corrected they should be amplified. On page 32 that statement is no doubt true. I do not know that wages ever reflect a scheme for reward proportionate to physical effort, and that refers to physical effort, and I think

it is apt to give a false impression. In a department store we have departments similar to a small neighborhood notion store. At the same time we have other departments in which we have help similar to the finest specialty stores. Now, obviously, those different grades of help can not be treated in one sweeping sentence as they have been treated here and I think it involves a fallacy and is very apt to start wrong thoughts in peoples minds and I would like that put on the record.

By Commissioner DREIER:

Q. May I ask you whether in the stores one department pays for another department; for instance the notion counter where a great many sales are made— would you make it or for instance make another department which has a higher grade of goods to sell, pay for that department, or does each department pay? A. Each department has to stand on its own basis.

Q. Exactly like a small shop? A. Yes. In case it does not careful study is made to determine why not and to bring it up to the standard. Now on page 36 — I hope I am not taking up too much time in referring to these matters —

Mr. ELKUS: No, but if those matters are corrections or calling attention to errors, while we would be very glad to hear you now we would be better pleased to get your views on the main question.

Mr. STRAUS: You prefer me not to do this now?

By Mr. ELKUS:

Q. It is calling attention to that sort of a thing which can be done by letter? A. Then I have no particular desire to do it here.

Q. Are there many more of them; if there are only one or two you might go right ahead? A. No there are quite a number and I think your report is too valuable to allow this to stand.

Q. That is why we issued it in the form we did so as to get these corrections? A. I do not think they are of vital importance except as they refer to particular topics of that kind.

Q. You can either do it now or submit it in writing? A. Which ever you prefer.

Q. If they are the same kind I should think submitting them in writing would do just as well, and we would rather have your

views on the main question of whether or not there should be anything in the nature of minimum wage legislation? A. I am afraid to venture on that. You ladies and gentlemen have been studying that many months, and I would be very glad to be of such assistance as I could in going over a law which you might draw, but whether there should be such a law I do not feel competent to speak on that. I have not come to a decision on that. I am wavering I must admit.

Q. Now in the retail drygoods business there are no organized employees? A. No, there are not.

Q. Are you familiar with the wages which are paid in the various establishments — I do not want to differentiate? A. No, I should hardly say I am familiar with the wages paid in other establishments, except in a general way. There is a tendency to grade up wages now, to increase the average wage.

Q. Since when is that? A. Two and one-half or three years. I wouldn't care to put it down to any time. But we have discussed this matter for the last two and one-half or three years, that it was advisable from all points of view, from our own and other points of view to see if we can not by increasing the efficiency of the individual increase the average wage.

Q. So you have come to the conclusion as men of business that some means must be established, perhaps by voluntary act or agreement, that some sum must be paid higher than what you could hire people for, which should be established as a minimum wage? A. You might draw that conclusion from what we have done.

Q. I don't want to put a wrong conclusion in your mouth; the reason I ask that question is this: the last witness stated in his particular business there was a minimum wage established by agreement; he believed that in those trades where there was no such agreement it should be left to the employer to employ people for what he could get them to work; now as I understand you you have voluntarily increased the amount which you could get people to work for? A. Yes, without question.

Q. And you did that for what reason? A. To try to get better people.

Q. And you keep the same people you had who were willing to continue working for a lower wage? A. We kept many of the

same, but those who were not entitled to a higher wage they will go. We gradually eliminate them.

Q. You practically kept all of them; there were very few who were dropped? A. There is unfortunately a great tendency to change among our employees, so that I don't know what proportion who were with us three and one-half years ago are still with us; I couldn't say.

Q. Now take the cases where there are no employers who are willing voluntarily to increase the wage to what they consider a living wage, because that is what it is; isn't that so Mr. Straus? A. No, we can not consider that.

Q. You don't consider that at all? A. No we can not consider that. I think there is efficiency in living as well as in work and a living wage for one is not for another, in the same industry, so that we can not determine what a living wage is.

Q. In your business you employ very largely women? A. Yes.

Q. Now isn't there a point below which wages ought not to be, that is from a living standpoint? A. I suppose so. I am not prepared to say yes or no to that question. If you want to take an affirmative answer from the fact that we do not pay less than a certain amount for certain work you may conclude that way, but that has not been our point of view.

Q. Now in your own business you voluntarily fixed a certain sum below which you would not pay although you could employ people who could do the work for less than the amount which you paid; now that is the position of one employer; you do that voluntarily; what would you suggest being done if there were cases, as have been shown to the commission, where a large number of people are employed for less than a wage which supports them or permits them to live and the employers will not voluntarily increase the pay, because, perhaps they can not; do you favor any action by anybody with reference to that at all? A. I don't know. That is a thing that I am not prepared to say yes or no to. That involves so many broad economic questions that a quick answer to that would be entirely unjustified. I am entirely non-committal on it. I am open minded on it, I am not prepared to say I would believe in a minimum wage or not. I would rather see the law before I

could say I believed in it. It would depend on that. I believe there have been laws put on the statute books by some states which I would certainly oppose. I believe one of the states has enacted a definite minimum for all labor.

Q. What do you think of minimum wage boards? A. I think a minimum wage board looks as good to me as any.

Q. If there are any matters of importance in connection with this we would be very glad to have you give your ideas to us? A. I should have to look them over. I think there is one important consideration that must be borne in mind in attempting to determine a living wage, and that is the very important fact that there is efficiency in living as there is efficiency in labor and what is an adequate wage for one is most inadequate for another.

Q. What do you mean by efficiency in living? A. One person at six dollars a week can live comfortably; another at six dollars a week is starving.

By Commissioner DREIER:

Q. You mean a woman who gets six dollars a week, if she knows how to sew and how to wash and how to eat very little food she could get along very much better than the girl that does not? A. I wouldn't say eat very little food. You can take it at ten dollars as well as six. I have seen employees in our establishment that have been earning ten thousand dollars a year and felt they could not live on it, and others have gotten along very well on six and seven so that I think it is purely a question of the individual, I suppose that there is a point below which nobody could live. I am not prepared to say what that may be, I think that is a question for you ladies and gentlemen to study.

By Mr. ELKUS:

Q. Mr. Straus, you spoke of fixing this minimum wage in your own establishment; are you referring to your own establishment or to any of the others in your association? A. I think almost all of the members have done similarly.

Q. That is within the last year or two? A. I think that is

probably two and a half or three years ago. I think Mr. Graff would know about that.

Mr. GRAFF: I think that related to one department only and that was five or six years ago.

Mr. STRAUS: I mean subsequently?

Mr. GRAFF: I think that was the time there was general disturbance in the city among express drivers.

Mr. STRAUS: I do not mean that at all, I mean since that.

Mr. ELKUS: Since the appointment of this Commission three years ago?

Mr. STRAUS: I don't know.

Commissioner DREIER: Was it due to an agitation for more wages?

Mr. STRAUS: I wouldn't say whether it was or not; that might have its effect.

By Mr. ELKUS:

Q. Would you base the legislation along the lines of the Massachusetts law which provides for a minimum wage board? A. I do not think I should oppose any minimum wage law that was not distinctly bad. I am sure I should not oppose the minimum wage law of Massachusetts.

Q. Would you favor it? A. I should have to give it more study before I would be able to say that.

Q. Do you believe, Mr. Straus, that something should be done by way of remedying the conditions which have been shown by the report of Dr. Woolston as to wages paid in some of the trades to women? A. Yes, I think without question something should be done.

Q. You do not believe, as the foregoing witness stated, that it should be left as a mere matter of commercial relations and a matter of supply and demand? A. That I am not at all prepared to say, that the one thing to be done is to establish a minimum wage by law.

Q. But I want to know whether you agree with his views that it should be left alone? A. No. I think our wage earners should be put in a position to earn a living wage whatever that may be, whether in one industry or more, and I think much can be done in the way of training them. I think we are most ineffective in our training for all kinds of labor.

By the CHAIRMAN:

Q. Do the members of your association agree on a scale of wages to be paid those employed by you? A. No, we did agree I think some years ago on a minimum in one of the departments. Since then we have not been agreeing on any definite minimum but have been agreeing on a desire to grade up our wages.

Q. Isn't there a general understanding among the members of your association as to what you are paying girls for different classes of work? A. It has been discussed but there has been no rule adopted.

Q. I do not mean any written agreement? A. No there has never been any standard adopted. I do not think you could find the same standard in all of the stores.

Q. Was there a discussion at your meetings as to wages paid to women employed by you? A. It has been discussed. I do not mean a regular discussion, but it has been discussed.

Q. And your members are pretty well informed as to what the other members are paying in the way of wages? A. No, they don't know in any degree, except as one employee goes from one place to another and reports it.

By Mr. ELKUS:

Q. Have you a minimum sum fixed in all of your departments?

A. We have a minimum sum in selling departments and a minimum sum in the bookkeeping departments.

Q. What is your minimum sum in the selling departments?

A. Six dollars, above which they earn commissions of varying amounts.

Q. How long has it been at that sum? A. This is purely a guess — two and one-half or three years I should say.

By the CHAIRMAN:

Q. Upon what theory, if you remember, Mr. Straus, was that minimum wage fixed; I mean how did you determine it; was the cost of living taken into consideration? A. I couldn't tell you. I think probably that we determined that we could afford to make that a minimum. We are now trying to raise that to seven.

Q. Have you noticed whether by paying an individual in your employ a higher salary you at once increased the efficiency of that one employee? A. Quite the contrary. I do not think the efficiency of an individual has to do with the wage you pay an individual. You may be able to get better people by paying a higher wage, but I do not think the efficiency of the individual is affected by the wage you pay that individual.

By Mr. ELKUS:

Q. Do you know what the minimum is in other establishments that are members of your association? A. One gentleman I know said before the Industrial Relations Committee that it was nine dollars and another one twelve.

Q. This minimum of six is not what is actually paid, it is the rate of pay? A. That is the basis above which commissions may be earned.

Q. But as a matter of fact many of them get a lower sum than that on account of absences and fines and so on? A. No fines. They are paid for the time they work. If they are away they are not paid.

Q. You don't have any fining system? A. Not only that but when it is raining and business is obviously poor out of town people are allowed to leave at five o'clock.

Commissioner DREIER: Do you pay less for that?

Mr. STRAUS: No, and if any person wants to leave at five there is no docking for that. Of course we can not allow too many to go.

Q. Congressman Hamilton would like to know if you can tell what commissions these people earn who get six dollars a week? A. It depends on the department and the people.

Q. What is the average? A. In some departments some people will earn nothing and others will earn very considerable amounts.

Mr. BLOOMINGDALE: You have it in that book. (Referring to the advance sheets of Dr. Woolston's report.)

Mr. STRAUS: Yes, I think there is a foot note on one page. It does not refer to our store.

By Commissioner DREIER:

Q. Wouldn't it be an advantage to the business of all of your concerns if you paid the same wages for the same kind of work? A. I don't know why it should be.

Q. I mean if you paid in your suit department ten dollars and if another paid fifteen dollars or paid five dollars, that would make a difference in the selling price, and wouldn't there be a difference in competition there? A. Yes, but I do not think that there is any reason why that should be regulated. I think each firm must settle that themselves with their employees.

Q. You don't think it would be an advantage? A. I don't think so. You take many employers and if they can get employees at five dollars for their suit department they would do so if they can satisfy themselves as to the quality of the help that they are getting. I think obviously the better employees would know where they get the better rate. I heard a manufacturer say so this week. He was telling me you cannot turn out a good output unless you get help of a certain calibre, and I suppose those who turn out a lower grade output for some purposes use a lower grade of help. I do not think you can standardize an industry that way. I don't know, I am not a manufacturer.

By the CHAIRMAN:

Q. Don't you think home comforts and nourishment which one receives has a good deal to do with their efficiency? A. The nourishment, yes; I doubt about the home comforts.

Q. You don't think that that has anything to do with it? A. After you pass the limit of requirement, if they have a bed to sleep in and a sufficiently warm place to live in, I do not think that that increases the efficiency. It may increase the joy of living but I do not think it increases the efficiency.

Q. You don't think the state of mind has anything to do with efficiency? A. I don't think the state of mind is at all regulated by luxuries.

Q. It is not luxury? A. That is a comparative term.

Q. The history of our own country has been, since the labor unions have organized, their wages have increased and they have increased in efficiency too? A. It is possible. I am not in a position to judge of that.

By Mr. BLOOMINGDALE:

Q. Mr. Straus, lets see if I can not clear your recollection about what Mr. Elkus seems to regard as a minimum wage agreement; do you recall that in 1911 the Civic Federation commenced making an investigation of the department stores, and at that time they made a preliminary report? A. I recall it now.

Q. And do you recollect then that there were some disclosures made that were rather surprising, that in some instances very low wages were paid and that the conclusion was reached that some people had been lost sight of? A. I do recall it now.

Q. And at that time there was a general discussion but not any agreement that there would not be any payment less than six dollars a week in the selling force and nothing less than four dollars a week among the minor help, clerical positions? A. That is what I had in mind, but I do not think it was a definite agreement.

Q. No it was not, but that was in 1911? A. I think it was, if that is the date when the Civic Federation report came out.

By Commissioner DREIER:

Q. May I ask you whether the manager of a department regulates the wages paid in that department? A. Not with us.

Q. Isn't that customary? A. I have heard some say but I do not know. In some stores I have heard it is entirely in the hands of the department manager, but not with us.

By Mr. ELKUS:

Q. Isn't it a fact that the investigation of the commission as shown by the report establishes that in the retail drygoods stores women are getting four and five and six dollars a week? A. For selling?

Q. Yes? A. I don't know. I haven't had the time to study the papers. Minors are getting four to six. In our place I do not think anybody holding a position except that of a minor is getting less than six dollars a week.

Q. You mean under 21 years of age? A. No it isn't a question of age. Selling and clerical positions pay six dollars a week.

Q. But there are women in your establishment who get less than six dollars a week? A. I don't think so, I may say offhand.

Q. About other establishments you don't know? A. I don't know.

Mr. BENEDICT J. GREENHUT addressed the Commission:

By Mr. ELKUS:

Q. You heard Mr. Straus' statement, what is your view with reference to legislation along the lines of that which they have in Massachusetts; how do you feel about that? A. That never appealed to me very strongly. I read that statute a couple of years ago and can not tell you now the different points, but I was not much impressed with it.

Q. Are you opposed to any minimum wage legislation of any kind? A. I am not prepared to say that.

By the CHAIRMAN:

Q. Are you prepared to say you are in favor of it? A. I don't think I am.

Q. In other words you feel a little stronger in opposition than you do in favor of a minimum wage, or are you just in the middle of the road? A. I will admit there are some good arguments on both sides but I think there is a great deal of theory and I think when it comes to practice it will not work out as well. The arguments sound very very good.

By Mr. ELKUS:

Q. Mr. Greenhut, this Commission wants to know the views of employers of labor; now your establishment employs a great many women and minors and we have had these facts all brought out and spread before you and we want to get some expression one way or other if you can give it to us as to whether there should

be some legislation or whether there should not be? A. I think a distinction should be made between skilled labor and such labor —

Q. You are a member of the firm of Greenhut and Company? A. Yes, sir.

Q. You employ about how many? A. Over two thousand.

Q. Have you a minimum wage in your establishment? A. Well, as applied to salesladies, yes.

Q. How much? A. Six dollars.

Q. Is there any that applies to others? A. Well, practically none.

Q. Have you ever investigated as to how much or what constitutes a living wage for your employees, how much they can live on? A. That is quite a question.

Q. I mean have you ever investigated it at all? A. No.

Q. You have never taken that into consideration in fixing the minimum wage? A. No.

Q. Now suppose it appeared as it has appeared in the evidence brought out before the commission that there were thousands of women employed in the state who received \$4 and \$4.50 and \$5 a week and that that was insufficient for them to live upon; would you as an employer and a man of large business affairs be in favor of that condition being regulated in some way or would you let it alone? A. I should say off hand yes.

Q. Now how would you say it should be regarded as a business man? A. I really have not given enough thought to express an opinion on that because I view these things mostly from our own standpoint and the conditions in which the women work in stores like ours. When you say living wage of course I will admit that it is very hard for a woman to live on six dollars a week if she had to support herself, but I think you will find that the cases of that kind are a great exception. I know in our stores, and I think in most of the other stores, we really only like to employ people who live at home, that is of the younger people, and I do not think they are at all dependent upon the salary they make.

By Commissioner DREIER:

Q. Don't you think, Mr. Greenhut, that they should be able, if they worked there selling all day long or working in the factory all day long they should for that work get enough compensation to

support themselves; doesn't the self respect of the industry demand that? A. Well, from the standpoint of skilled labor, yes, but in stores such as ours people usually get paid according to what they are worth or the value that they can give.

Q. In other words, the stores or those stores which pay such low wages that the women can not live on, or such factories are subsidized by the fathers and husbands of the women because the women can not live on what they earn and therefore somebody must support them, therefore the industry is being partially subsidized by the father or the husband or whoever it may be, and if it is not supported in that way isn't it partially supported by the community which pays for the hospitals and reformatories and all of that? A. It is possible, but I hold a person can get nowadays pretty near value received for what they give in the shape of labor.

Q. Even if they are individuals unorganized? A. Yes, absolutely. I think it depends upon their own individual ability. If a person has ability, no matter in what direction, they usually get paid pretty well for it. Unfortunately there are a lot of people who are not as ambitious as others and naturally they do not seem to progress.

Q. You do not think the chaotic state of industry is caused in part by this condition where people are unable to earn sufficient for a livelihood? A. I don't think so.

By Mr. ELKUS:

Q. Do I understand you to say that there are no sales people in your establishment earning less than six dollars a week? A. I think that is the fact.

Q. You know as a matter of facts that out of 15,000 sales people in the retail drygoods establishments the Commission found there were over a thousand who were paid at the rate of five to five and a half dollars a week.

Mr. BLOOMINGDALE: May I call your attention to the fact that this table covers the whole state?

Q. Through the whole state? A. All I know of is that there is no saleslady in our establishment getting less than six dollars. If they are it is contrary to instructions.

Mr. LESLIE GRAFF addressed the Commission:

By MR. ELKUS:

Q. Mr. Graff, what is your full name? A. Leslie Graff.

Q. With what firm or corporation are you now? A. B. Altman now.

Q. We invited Mr. Friedsam, the head of that company, to appear and you come as his representative? A. Correct.

Q. And before you were with B. Altman & Co. you were an officer of the Retail Dry Goods Association? A. I was secretary of the Retail Dry Goods Association.

Q. For a number of years? A. Correct.

Q. Have you considered the report of Dr. Woolston, the proposed report or the advanced report? A. I have read it.

Q. Have you given any study as to whether or not there should be any minimum wage legislation? A. So far as our establishment is concerned I can not conceive of this Commission recommending or the Legislature adopting any minimum wage law that would be of any serious consequence to us. We have been working more toward the maximum wage you might say than the minimum wage, but so far as the general situation is concerned, it is a question in my mind of whether you would better conditions materially by adopting the minimum wage, because if you adopt the minimum wage you are going to decrease the buying power of the dollar in proportion to the amount which you increase the cost of living.

Q. Haven't you and B. Altman & Co. fixed a minimum wage below which you pay no employe? A. We have always striven to employ the twelve dollar saleswoman in preference to the six dollar saleswoman.

Q. And haven't you fixed a sum below which you will employ no saleswoman? A. It works out that way, but I would not like to say yes directly in answer to your question.

Q. Has that decreased the purchasing power of the dollar? A. We haven't adopted the minimum wage that would affect the people whom you are trying to legislate for.

Q. I want to take your case as an example; you haven't found by fixing a wage which is above a living wage, I presume in your

establishment, that that has depreciated the purchasing power of the dollar? A. No, but we are not employing the people who are being employed to-day at these low wages.

Q. Now, will you tell me how you are going to depreciate the purchasing power of the dollar if for instance by agreement or otherwise the wages of a woman who gets \$4.50 a week for selling merchandise in an establishment the same kind as yours is increased to six? A. If you increase the cost of doing business that is going to be passed right on to the consumer and if you adopt a minimum wage in this industry you doubtless will adopt it in other industries.

Q. Isn't the consumer paying for it now indirectly when you compel people to work for less than a living wage; do not the people have to pay the difference indirectly? A. Possibly through the public charities, I suppose they do.

Q. Now, would you favor the continuation of such conditions? A. Not if I could see that by changing conditions you were going to better things generally.

Q. What do you mean by that? A. As I started to say, the effect as I see it of the adoption of a minimum wage besides decreasing the purchasing power of a dollar it would also throw a number of people out of employment. There are many positions filled to-day where ability is not required and where experience is not required, and those positions are filled by those who can not command what you have in mind as a living wage.

Q. Wasn't that same argument always advanced when employes organized and through organization obtained higher wages? A. What employes have you in mind?

Q. Labor unions, in other lines of business, that was the argument always used against labor; they were to destroy everything and yet conditions are better to-day than before labor unions were in existence; you can see that conditions are better in trades where women are organized? A. Isn't that one of the causes of the increased cost of living? Doesn't it cost considerably more to-day to live than it did twenty years ago?

Q. Is there anybody now that would advocate going back to the conditions of twenty years ago as against conditions we have now among laboring people; if you do I think you are the only

one there is in the world? A. No, I would not advocate that because I think the conditions in which we labor are more desirable than they were, hours are shorter.

Q. They have brought that about themselves, haven't they? A. But that has been brought about in industries where labor has not been organized. There was testimony here this morning to the effect I think that there has been an increase of about 35 per cent. in the rate of wage paid since organized labor has been employed. I do not know how that would figure out in percentage because 35 years ago I was not in the dry goods business, but there has been a material increase in the average wage paid.

Q. Are the employees in your establishment organized? A. No.

Q. Do you oppose it? A. No.

Q. Do you favor it? A. As I say, I can not see that the demands of organized labor would be of serious moment to us. I do not think, however, that we should be taken as a basis. I do not think it is fair to the industry. Conditions with us are somewhat different.

By the CHAIRMAN:

Q. Do you think you can increase an employee's efficiency by simply increasing his wages? A. The increase of wage will increase the efficiency?

Q. Yes, of the same individual? A. No, I think the incentive must be there for the increase in wage in order to bring about the increase in efficiency and the wage is the result of the efficiency.

By MR. ELKUS:

Q. You heard the testimony of Mr. Francis didn't you? A. Yes.

Q. And he said while these conditions existed about women being underpaid or being paid less than a living wage in many industries he thought it should be left alone; do you take the same view of it? A. I feel that the question of supply and demand is the one which will determine the wage.

Q. As long as they can get the people to work for that wage, whether they become a burden on the public or not makes no difference? A. The fact that to-day there are not a sufficient num-

ber of people with ability or honesty or incentive to advance their conditions, without any ambition is the cause that so many people are earning the low wage.

Q. Do you think, Mr. Graff, that that lack of incentive or ability may be due in part or in whole to the fact that they had to exist as it were or try to exist on the wage that they get; in other words, doesn't it destroy or impair the capacity of the person to get any higher except in rare cases? A. That is a question that must be dealt with individually. I know after four years of college I was very glad to take a position at five dollars a week but I was not glad to stay at five dollars a week very long.

Q. You didn't have to live on five dollars a week? A. No, I didn't have to live on five dollars a week, and a great many of people you have found through your statistics who are getting less than what you regard as the minimum wage do not have to live on what they are getting. They contribute to the support of a family. They are not self-supporting.

Q. How about the others who have to support themselves as best they can? A. That is a most unfortunate condition, but you want to put the burden of remedying that condition solely on the employer?

Q. I don't want to put it any where; I want to know what you say should be done as a business man to remedy that condition? A. I think the condition remedies itself because there are enormous opportunities and there is a lack to-day of competent people to fill the positions of importance. There is a lack to-day of people who evidence sufficient interest in their work, as I indicated a moment ago, who have not incentive or ambition to advance but if they had it the opportunity is there and the reward is there.

By Commissioner DREIER:

Q. You would not say that was true where the subdivision of labor is made one small part of the whole business of that individual — where is the opportunity of forging ahead under that condition? A. You are referring to manufacturing industries?

Q. I am referring to manufacturing industries now. A. I don't know much about manufacturing industries and I would

rather confine my testimony to my own business. I don't know what the opportunities are for the person who is dipping chocolate; I don't know what the next step higher may be.

Q. In your own business then if the women were efficient do you really think that their wages would have increased? A. Absolutely. There is competition to-day amongst dry goods houses for competent employees.

Q. What constitutes a competent employee; I would really like to know? A. That is a question that can not be answered in a word. It depends on the nature of the employment.

Q. Take a woman who is a competent employee in the notion department? A. A competent employee in the notion department is one who knows her stock and is able to wait upon the customer quickly and satisfactorily.

Q. Does that require ability and intelligence? A. That possibly is a means to an end. In employing a person as a saleswoman in a notion department if they evince ability there they are then advanced to other departments where greater ability is required to sell and where naturally greater compensation goes with the position.

Q. We have heard that a girl may possibly raise herself in a department say from six dollars to nine dollars and then competent as she is dismissed for another six dollars girl and then another six dollar girl is raised to nine dollars and she is dismissed for a six dollar girl; how about that? A. I don't know about that. Everybody should I suppose earn enough to live decently, but that is a very difficult term to define as to what is required in order to live decently. One earning \$12 a week may not be able to live as well as one earning \$8, but the majority of these people earning the low wages are not entirely, the majority of them, self-supporting. They contribute towards the support of the household and during that time they are learning.

Q. Then again your industry or store is being subsidized by the father or the rest of the family? A. Not at all. I take issue with you there.

Q. Why isn't more given? A. Because they are not worth any more.

Q. But however inefficient they may be they still are needed; you could not get on without the saleswomen? A. The saleswomen in the majority of instances —

Q. I don't know your own personal establishment, I mean the general department store? A. There is one point about Dr. Woolston's report that may mislead the Commission. He talks about salaries paid females from 14 to 16 and then he talks about the salaries paid to the adult females. Now, a child of 16 can hardly be termed an adult female, and as many stores to-day would not employ anybody under 16 the very smallest position, the most unimportant work is filled by what he terms an adult female which possibly gives you — and he did it no doubt without any desire to mislead — a false impression as to what actual conditions are. There is another point I noticed with some amusement. I think in the report there is a salesman getting \$5 a week. The information as to the salaries paid are gotten from our pay roll; but the information as to the position occupied was gotten from the employee, and I am afraid some of the little children who were employed as messengers or stock clerks rather facetiously put down their occupation as saleswomen.

Mr. SHIENTAG: Wasn't that error corrected?

Mr. GRAFF: I did not see the corrected report. It was only the original chart I saw. We called the attention of the Commission to that.

By Mr. ELKUS:

Q. Are you in favor or are you opposed to legislation such as Massachusetts has adopted? A. As an individual I am opposed to a minimum wage.

Q. That isn't a minimum wage? A. As I understand it that creates a Commission which investigates for the purpose of —

Q. You are opposed to any legislation upon the subject? A. Personally I do not think it will better conditions one iota.

Q. And that is why you oppose it? A. That is the reason and I can see disadvantages.

Q. Do you think it would injure the business in which you are engaged? A. The business, no; the individual, yes.

Q. You think it would hurt the employee to have a minimum wage? A. Yes.

Q. And that is the reason you are opposed to it? A. Yes, sir.

Q. Not because it would injure the employer? A. Not because it would injure the employer.

By the CHAIRMAN:

Q. How did the association happen to agree on that \$6 a week?

A. I don't think there was ever any agreement about it.

Q. There may not have been an agreement reached, but somehow or other after this discussion at your meeting every member of your association fixed a minimum of \$6 a week for a certain line of employment? A. I don't think they did.

Q. That is what I understood.

Mr. BLOOMINGDALE: I think that was the general outcome but it was not by agreement.

Mr. ELKUS: Wasn't that the understanding of it?

Mr. GRAFF: No, it was the recommendation.

Q. By the Association? A. By the Committee of the Association as I recall it.

Q. As the result of that recommendation it was adopted by all?

A. Not by all, by nearly all.

Mr. ELKUS: And some are still paying less?

Mr. GRAFF: That I don't know.

Q. What prompted this discussion and this recommendation?

A. There was considerable publicity at the time through the magazines of the question of low wage being the cause of immorality and we asked the Civic Federation to make an investigation of the conditions in the department stores and as I recall it they brought forth in some instances conditions which the employers were not cognizant of and that resulted in the general discussion of the question of wage and that recommendation.

Q. So that it was as the result of outside agitation that this increase of wages was due? A. Well, inside investigation which we invited.

Q. I was trying to bring out the fact that after all, however anxious the employer might be to help the employee and make his condition better most of these increases are either as a result — some in the past as a matter of history — are either the result of an outside agitation or the result of an organization of the employee within the establishment — however anxious you may be to help, the employer never takes the initiative? A. The action results from the condition being brought to your attention.

Q. So that is true? A. Just what channel is used is a question. I would not want to limit it to those two.

By Commissioner DREIER:

Q. You said before that a minimum wage would be detrimental to the employees; would you amplify that statement? A. I think it would be detrimental to the employee because there are many positions now filled that require neither ability nor experience, but if a minimum wage were adopted the people who would be engaged to fill those positions would naturally be the ones to have the greater qualifications though qualification would not be absolutely essential and I think it would throw out of employment a number who are now able to help themselves, who have the opportunity of developing an entering wedge into a business in which there is enormous opportunity. I think that might apply to a number of those people if it were possible to engage at the same wage somebody who had some education, greater ability, or some experience.

Q. Then you mean a minimum wage would get better people into the trade and the others would be thrown out, is that your idea? A. If you adopted \$9 as your minimum, I will take for illustration that there are people who are willing to work for \$9 who would be available for these conditions, and they would be given the preference over people who to-day are only able to earn \$7, and the reason they are only able to earn \$7 is because they lack what the person who earns \$9 has —

By Mr. ELKUS:

Q. Those people who would not work unless they got \$9 are employed elsewhere, aren't they? A. How about your vast army of unemployed?

Q. Whether there is an army of unemployed or not, if a man cannot get \$9 he will only work for \$8 — he will only insist upon a minimum pay if he cannot get as much or more money elsewhere, isn't that so? A. A man will get all he can get but he has to show he is worth something.

Q. You mean if you increase the pay you will attract to your employment a different class of people than you now get who are working elsewhere for the same wage? A. Yes.

Q. Because they would rather prefer, from the nature of the employment, to work for you for \$9 than some one else, either the hours are easier or the work is lighter? A. There is always a large number of unemployed, and those who are now willing and capable of earning a small wage would be the ones who would be out of employment rather than those who through temporary conditions —

Q. Then you say there would be a shifting of unemployment from the capable to the incapable? A. It might mean a greater number of unemployed.

Q. Why? A. Because —

Q. Do you mean a \$9 a week man would do more than a \$7 a week man; you don't want to put yourself in the position, do you, of saying that you employ two men at \$14 a week who will do the work of two at nine; you say the reason you object on behalf of the employee to any minimum wage is because it would throw out of employment a number of people who are earning small wages, and if you increase the minimum the places would be filled by men who would be more efficient and who would do more work than the man or the woman who gets the lesser wage, and therefore there would be less people employed? A. Yes.

Q. Then you mean to say that as it stands now in your business, or any other business, as a matter of goodness to their employee they employ two employees at \$7 a week each when they could get one man at nine to do the work of two; isn't that logical result of what you say? A. I wouldn't put it that way, but I think there are people who have awakened to the fact that five people at \$15 is a cheaper proposition for them than a greater number at a less wage.

Q. And as soon as they wake up to that, whether there is a

minimum wage or not, they will discharge those who earn a smaller pay and take the lesser number who earn the larger pay? A. Some have awakened to that advantage.

Q. Without any minimum wage? A. Without any minimum wage.

Q. And that is simply a law of business sense? A. Correct.

Q. So that the minimum wage would not have anything to do with it at all? A. How about the poor man who hasn't any qualifications?

Q. You say you would let them go anyhow? A. But there are a number of people who would employ them.

Q. But they have not waked up to it and eventually they will not succeed in business? A. I would not like to prophecy what the result would be.

Q. They continue to employ people at a lesser wage because they have not waked up to real business conditions? A. I do not think they are as efficient as those who have adopted the other policy.

Q. When you say your association or committee recommended \$6 as a minimum; how did you come to fix \$6; was that you regarded as a living wage, or didn't that have anything to do with it? A. No; as I recall it there was a large number employed in minor positions who were getting that wage and there were a few who for some reason or other were getting less, and it was the case of bringing the few up to a majority.

Q. Had nothing to do with living wages or anything like that at all? A. No.

Q. I ask you the question, Mr. Graff, as a former secretary of the association, do you consider \$6 as an adequate living wage, or are you not prepared to say? A. If a person is self-supporting, entirely self-dependent?

Q. Yes? A. I do not believe a person could live on \$6 if they had no other income or nobody to help them support themselves.

Mr. PRESTON LYNN addressed the Commission:

By Mr. ELKUS:

Q. You are connected with what establishment? A. Wana-maker's.

Q. Mr. John Wanamaker has been invited by the Commission, and he sends you as his representative? A. No; I received a letter from Senator Wagner inviting me to come.

Q. Wasn't Mr. Wanamaker himself invited to come? A. Not to my knowledge.

Q. He was; I will state that on the record.

Q. What is your position at Wanamaker's? A. I am the general manager.

Q. Are you familiar with this investigation which has been carried on about wage legislation? A. To some extent, yes, sir.

Q. How do you feel with reference to the situation; do you think there should be legislation or not? A. I have no opinion to express on that, but I have prepared in a few paragraphs our position, and with your permission I would like to read them:

The Wanamaker Store is in favor of the maximum wage.

It gives its employees every possible opportunity to earn as much as possible.

It also is in favor of giving a trial to the minimum wage law.

Mr. John Wanamaker, himself, before the National Industrial Commission in Philadelphia, stated that in his judgment a minimum law ought to be tried.

We would like to see a minimum wage of \$10 or \$12, if possible. But in fixing the amount certain conditions must be considered.

1. The application of equal wages to unequal earning capacity.
2. Division of store labor — skilled and unskilled in the their various grades — salespeople, shoppers, telephone operators, stenographers, clerks, inspectresses, stockkeepers, dusters, maids, attendants.

3. Renumeration during the "apprentice" or learning period.

The result of applying equal wages to unequal earning capacity — or, in other words, increasing to the minimum wage every woman employee, 18 years or over, whether she is earning it or not, would mean that those already getting that wage and earning it, would have to be advanced to a still higher wage.

The selling forces of the Wanamaker store are taken care of by the commission arrangement, which permits them to earn an average of \$10 a week and up to \$20 or more. Their incomes are based on their individual capacity.

In the "apprentice" or learning period, girls between 16 and 18 are educated and trained in the Wanamaker schools while they are being paid their salaries. At 18 they are graduated into the selling department, but they are not yet as efficient as the experienced saleswomen in these departments who are earning \$9 and \$10 a week. How are we to bridge the gulf between this "apprentice" period and the productive earning stage, when they become efficient earners?

We are doing our best to increase wages wherever possible, and we are glad to co-operate in every way in working out the wage problem. Just what will be the effect of a minimum wage cannot be accurately forecasted. There will have to be readjustments to meet the new conditions. No one can say what will be the real result before the plan has been tried. I put that in this form so that I could voice the sentiments and views of the business I represent more clearly.

Q. Your establishment is not a member of the Retail Dry Goods Association? A. No, sir.

Q. Yours is one of the establishments that the Commission investigated? A. Yes, sir.

Q. Are the figures and facts which the Commission found accurate, as far as you know? A. As far as I know.

Q. So that the statement of the wages earned by your employees is an accurate one? A. As far as I know. I have not carefully looked over the statement.

Q. If you do and find any inaccuracies we would be very glad to have you tell us. A. I will be glad to do that.

Q. Do you consider \$6 an adequate living wage? A. I do not.

Q. You do not? A. No, sir; personally, I should like to see it nine, but it is only a personal opinion.

By the CHAIRMAN:

Q. That in your judgment is a living minimum wage? A. For the class of women we employ and to live decently.

By Mr. ELKUS:

Q. A woman to live decently ought to have \$9 a week? A. For the class of people we employ.

Mr. LOUIS M. BLUMSTEIN: Addressed the Commission.

By Mr. ELKUS:

Q. What is your business? A. Dry goods.

Q. Where is your business located? A. 125th street and also the Bronx, 150th street.

Q. 125th street and where? A. Seventh to Eighth avenues.

Q. You have a retail dry goods business at each place? A. Yes, sir.

Q. What is the name of your firm? A. L. M. Blumstein.

Q. Go right ahead, Mr. Blumstein, we will be glad to hear from you; you employ women and girls in your establishment? A. In retail?

Q. Yes? A. I also employ quite a number of female help in manufacturing so fortunately I have had experience in both.

Q. What do you manufacture? A. Silk gloves and silk underwear.

Q. And you retail them too; your business is confined to that? A. No. In fact the manufacturing of the gloves and underwear is another and entirely different corporation, the Mohawk Silk Fabric Corporation at Fultonville, New York.

Q. That is not in the city here at all? A. No, but it practically belongs to me and has since 1906. In the retail business I have been for the last twenty-eight years and I think that minimum wages would not be justified if adopted in this state for several good reasons, that it will hurt the consumer as it will have to be paid for by establishing a higher rate of wages, at the higher standard, and it will hurt a certain class of retailers like retailers that are in a neighborhood where they can only get a neighborhood trade.

Q. Why would it hurt them particularly; you mean what they would carry on as a neighborhood store? A. Yes.

Q. Yours is a neighborhood store? A. Yes.

Q. That is you get the local trade? A. We get the local trade — because we cannot make the gross profit sufficient to cover high wages.

Q. You mean you cannot compete with the big retail dry goods stores? A. We cannot compete because we do not get the prices

for merchandise in a general way, we do not get as high a percentage of gross profits as the neighborhood is local while the store that is in a business neighborhood gets customers from all over the world.

Q. Then your idea is what; how should the wages be governed, simply by what you can get the people to work for? A. Absolutely so. I have seen where I could not get help. It is the supply and demand that will always govern that.

Q. Suppose it turns out that you can get people to work for less than they can live upon; that wouldn't make any difference, would it? A. The people will always get in accordance with what they can earn and it is usually a custom to see — I believe in other stores as well as in our stores — to see how much a sales person has sold during the week or during the month. There is a certain standard, say five, six or seven per cent. for selling that the store could stand, part of the gross profit, and those that come under are raised in wages. Those that get under six per cent. show they have ability in selling and therefore they are in great demand at all times. It is the inefficiency that is the trouble, with a small percentage, fortunately, only.

Q. You don't employ inefficient people intentionally? A. Yes, we have to employ what we call inefficient help, table girls, girls that we have in a neighborhood trade. Neighboring customers will come in and say my niece just left school, won't you please give her a position. Well, we try her. Now, we couldn't pay a minimum wage to that girl of \$9 or anything like it. It would just simply mean that we could not exist.

Q. You think the whole subject should be left as a purely business matter and be regulated by what you can get the people to work for? A. It does regulate itself and I can cite numerous instances in manufacturing where we beg people to work, pay their way from New York, paid their board and we could not get them to work. What are we going to do with people in the mill, for instance. One makes \$30 a week on the same work that the other only makes \$6, because some of them say when I have made \$6 that is all I want, I don't want to work any more than two days.

Q. That is piece work? A. Piece work.

Q. That is no comparison with the girls or women who work six days a week and work from opening to closing and receive four dollars, four and a half or five dollars a week? A. They have got to have a starting point.

Q. Isn't that the end of many of them? A. No, no, pardon me. In order to judge that — I think those that are in the retail dry goods trade could judge that better.

Q. What do you say should be done? A. Let the State see that it gives them efficiency.

Q. What should the State do to make them efficient? A. I don't know because I haven't given it a thought, but if there was such a thing as a compulsory law to make them efficient that would help.

Q. What do you say the State could do to help your particular situation? A. My particular situation does not require help.

Q. You say the State should do something; now what should the State do? A. Most that we neighboring stores do is to take help and try to make them efficient and we ought to be paid.

Q. You ought to be paid? A. Really we do it more as a favor to the customers, otherwise we should not take them.

Commissioner DREIER: You don't like to offend your customer by refusing?

Mr. BLUMSTEIN: Positively so. In many instances we take the girls coming from school and pay them and they are inefficient.

By Commissioner HAMILTON:

Q. What percentage of your help do you get in that way? A. As soon as they get efficient they go downtown and get \$6. That is just the reason I say that the neighborhood store would suffer by it and furthermore the help would suffer. The minimum wage girl would suffer. The uptown store would say if there is a minimum wage why should I take the inexperienced and teach them. We have done it for 25 years. I would prefer to pay \$10 rather than four if they are efficient. A good deal of our help, a good percentage of our help are making as high — I wouldn't say as high because there are only two that make as high as fifty and those are girls that we brought up — four dol-

lar girls making as high as fifty dollars a week. Of course they are with us long enough and have taken an interest and have efficiency.

By Commissioner DREIER:

Q. All efficient help could not hope to make as much as that though, even if you had it? A. But I point out that fixing by law a minimum wage would not be the right thing if it will work a hardship directly on the minor girls and I think we for one store would not want to employ any girls that just leave school and teach them. We would rather take girls that had experience.

Q. Supposing there was a system of apprenticeship planned so that they would have a certain period of apprenticeship in which they would receive less? A. I haven't given that any thought and I haven't taken it up for consideration. I also thought it would be an injustice to the public. It would increase the cost if they should get more wages, the cost of living of which there has been so much talk. I can say that those girls that get four dollars a week or earn about that, four or five dollars or four and a half, they are not supporting themselves, they are usually living in the neighborhood and have no carfare and no lunch money to pay and get along just helping the family, and furthermore there are a great many girls that are getting six and eight dollars a week and don't get along because of silk stockings and dance halls and picture shows and all of that. That is what the State ought to regulate. The girl that only minds her business is so valuable in business and so valuable to herself that she would not be in need. It is unfortunately those who walk around and we want to uplift their morals —

Q. You would favor a law prohibiting girls from going to moving picture shows? A. Pardon me, I didn't mean it in that way, I mean they don't seem to live right. Instead of the right way of living they go away from the right way of living.

Q. You are not in favor of a minimum wage law? A. I am emphatically not in favor of it.

At one o'clock a recess was taken until two p. m.

MR. FRANKLIN S. TOMLIN addressed the Commission.

By MR. ELKUS:

Q. Whom do you represent? A. The Brooklyn Central Labor Union.

Q. How many members has that Union? A. It represents eighty thousand organized workers.

Q. You have a resolution to present to the Commission? A. Yes, sir, passed by them last Sunday unanimously.

Q. Read it, please? A. (Reading) Resolved, That the Brooklyn Central Labor Union, representing 80,000 organized workers in the boroughs of Brooklyn and Queens, endorse the principle of the legal minimum wage for the following reasons: First, because we desire to see the present unchristian and most inhuman conditions so prevalent in all underpaid industries brought to an end as speedily as possible, and second, because we believe the quickest way to reach this end is for the State to assume its full responsibility, to protect all of its citizens in their just natural rights among which ranks as one of the first the worker's right to such recompense for his labor as will enable him to obtain all the necessities and comforts of life in keeping with the dignity of a human being. While endorsing said action in this instance we emphatically reaffirm and hold fast to our belief that the organizing, bettering and maintaining of labor unions will do more than all other means together to bring permanent benefit to the workers as a class. While asserting this belief we realize that it is practically impossible to carry the benefits of organization to the great mass of the poorest paid workers, particularly among women and minors, and therefore we deem it expedient to thus call upon the State to thus perform its moral duty toward these most defenseless of its children. We hope that a large part of the good that should come to these workers from a legal minimum wage will be such improvement in their condition as will make it possible for them to see and secure the benefits that come from trade union organizations.

In conclusion we desire to state that we will carefully watch all legislation of this character and shall take advantage of our constitutional rights to advocate the form we think it should take and the manner in which we think it should be administered.

By Commissioner GOMPERS:

Q. What position do you hold in the Central Labor Union?

A. Officially I am parole clerk. I am on the Minimum Wage Committee and several other committees.

Q. In the resolution which you have just read as having been adopted by the Brooklyn Central Union is the declaration to be understood to be a demand for minimum for all workers? A. No, sir, women and minors. The resolution does not state so if my memory is correct.

Q. And my hearing is correct? A. Well, that is the intent.

Q. The intent is a declaration for a minimum wage for women and minors? A. At the present time, yes.

Q. Of course I am not discussing the question in the future, but the resolution is intended to be a declaration for a minimum wage for women and minors? A. Yes, sir.

Q. When was that resolution introduced in the Central Labor Union? A. We had a discussion on the subject some few weeks ago between Mr. Frayne and Mr. Valentine of the Massachusetts Minimum Wage Board. It was subsequently discussed by the Central Labor Union and the committee instructed to bring in the resolution and this is the resolution. The Legislative Committee drew up the resolution and it was passed unanimously.

MR. JOHN F. BYRNE addressed the Commission:

By MR. ELKUS:

Q. Who do you represent? A. The City Button Works.

Q. Are you the president of it?? A. The manager.

Q. Do you desire to be heard upon this question we have under discussion? A. Yes, sir. Our chief desire is to see if some legislation could not be enacted to make the present law more flexible and not have it so rigid.

Q. What law? A. The 54-hour law.

Q. We are not discussing that now. A. Your letter asks suggestions.

Q. On the minimum wage question? A. In a way we feel that we have solved that problem fairly well because, while we adhere to no strict hard and fast rules, we start no beginners in our plant for less than \$5 a week and those are simply girls who

are just starting out in the working line who can do the simplest work we offer them, and as they grow accustomed to our ways we push them along half a dollar at a time, five and a half, six, six and a half, seven, seven and a half and eight, and they ultimately have a chance to become piece workers when large jobs come along. Now, our line has no stability whatsoever.

Q. What line is that? A. Button manufacturers. We are solely controlled by fashions. If fashions ordain that the ladies' garments are to be covered with buttons, large or small, then we all reap a harvest for a season or so. If things go to the contrary we are all flat on our backs.

By the CHAIRMAN:

Q. How are the fashions now? A. They have been in style during the years of 1912 and 1913. During 1912 and 1913 we had good years. In 1910 the whole industry was flat on its back through a tremendous strike in the manufacturing trade, which I think Mr. Gompers participated in settling, when the whole clothing trade, as far as women's clothes were concerned, was completely down and out.

By Mr. ELKUS:

Q. Mr. Byrne, was it in your business that evidence was given here by Mr. Skeel that women were employed who had been there fifteen years or more and were earning five or six dollars a week? A. Absolutely not, sir. May I tell you what Mr. Skeel discovered, and I think his records will bear me out. He spent two days in our plant and interviewed seventy or eighty women. He found women there ten to twelve years earning nine dollars a week, ten, twelve, and possibly fifteen. I think at the time he was there, a year ago, possibly a year and a half, we had a couple of learners who were getting four.

Q. Under twenty-one years of age? A. Girls who had to have their working papers, children, literally.

Q. Wasn't it in your case he found a woman who was there fifteen years or more who was earning \$6 a week? A. Absolutely not.

Q. You say it was a little more than that? A. Eight dollars a week.

Q. After fifteen years earning \$8 a week covering buttons; what do you regard as the fair living wage for a woman? A. That is a question I would not care to answer with too much positiveness.

Q. You would not care to answer that? A. No. The women who have been with us for years are happy women. He found a happy family there, and women we take on and try to keep on the job fifty-two weeks in a year.

Q. How many women have you in your employ who earn about eight dollars a week after eight or ten years of work? A. At present about 20 of our women out of 80 who earn about that, about 25 per cent.

Q. Do you consider \$6 a week an adequate living wage? A. I don't care to answer that.

Q. Suppose it appeared that \$5 a week or \$6 a week was not an adequate living wage and that in some trades or business thousands of women received that sum or less and they have been unable by their own efforts to increase it, how do you feel with reference to the Legislature or the State taking any action with reference to it? A. Just at present the national government legislation has done us so much harm I sincerely hope the State government won't take a hand in it.

Q. Have they done anything in regard to wages? A. They have thrown the door wide open to European competition, and they have us at their mercy to-day.

Q. You mean the tariff? A. Yes, sir, and everything we produce can be produced in Europe and they can undersell us.

Q. Now? A. Yes, sir, and ever since the new tariff went into operation a year and a half ago.

By the CHAIRMAN:

Q. Has the war made any difference? A. The war has brought us some benefit. It has interfered with the importation of merchandise and thrown the people off on their own resources.

By Mr. ELKUS:

Q. If there is a business here that does not pay any living wage to its employees, is it for the benefit of the State that that business be continued, I mean under existing conditions? A. I cannot go outside my own business.

Q. Take your own business? A. Our people must earn a living wage for they are a happy, contented people.

Q. You never heard any of them complain? A. No, sir.

Q. Nor ask for an increase of wages? A. We give that to them; they don't ask for it. When a girl has been with us six months she will have attained as much proficiency as she ever will attain. It is not the length of years. A good deal of the work is done with automatic machines. The girl sits there, or the woman, the machines all work by power, and she puts her metals in, or materials in, and the machine goes on, and whether she is there six months or six years all she does —

By COMMISSIONER GOMPERS:

Q. How many buttons does she cover during the course of a day with a machine? A. Some girls might make fifty gross, some forty, some thirty. The buttons vary in size and in the parts that compose them, and it is hard to give you an intelligent answer to that.

Q. How long does it take to cover a button? A. Some buttons may be covered in three seconds and some may take a quarter of a minute.

Q. You say they make about fifty gross? A. They might make fifty gross on these automatic machines.

Q. That would be about 5,000 or 7,000 a day? A. About 7,000 buttons.

Q. They do that one thing over and over again? A. Yes, sir.

Q. About 7,000 times a day? A. Yes, sir.

Q. And how many hours are they employed? A. Nine hours. We adhere rigorously to the restrictions.

Q. They do that every three seconds and you say they are happy? A. Yes, sir. I should have liked to have had you with me when I went around the plant on Christmas Eve and heard Christian and Jew alike wish me a happy season and a better season than we had last year.

Q. I am not questioning the accuracy of your statement. I simply want to have in my mind the possible happiness of a girl or a woman in doing a certain piece of work which occupies about three seconds and doing that for about 7,000 times a day—I am trying to see where the happiness can be felt or expressed? A. The

happiness of doing one's duty conscientiously, just as we all draw happiness from doing the same thing be our position humble or otherwise.

By Mr. ELKUS:

Q. Then in your view of it as a business man you are not in favor of any legislation? A. No, sir.

Q. You believe it should be left to the law of supply and demand? A. Yes, sir.

Q. Anything further? A. May I describe an incident that occurred last week?

Q. Certainly. A. During 1912 and 1913, as I say, we were prosperous, couldn't get help enough, and we were advertising all the time. We didn't have to do it during 1914. We advertised last week for a few beginners to do some work, and, gentlemen, I want to assure you enough applicants came to fill this room standing close together, looking for a \$5 a week job, and our advertisement intimated what they were to do. We wanted girls to do so and so, carding buttons. They would say give us work, we want work, and I suppose 500 people came into our place that morning.

By COMMISSIONER GOMPERS:

Q. Didn't you say that business was in a deplorable condition? A. Yes, sir.

Q. Do you advertise for assistance? A. Yes, sir.

Q. Where was the necessity for advertising for beginners or learners if the state of unemployment is so large in your industry as you describe it to be? A. Because the fortunes of war threw an order to us which we have to get out in double quick time.

Q. Which war do you mean? A. The present war. We have taken an order for uniform buttons for export and the buttons have to be out in double quick time.

Q. Then you call it the fortunes of war? A. Literally it is the fortunes of war in our case.

Q. Is it contraband? A. Not as yet. The Lord knows where we will be if they make it so. I should certainly not like to have any erroneous idea of Mr. Skeel's report enter into the records.

Q. You heard his report? If you have any suggestions on any matter outside of this let us have it in writing? A. Yes, sir.

Hon. JOHN MITCHELL addressed the Commission.

By Mr. ELKUS:

Q. Mr. Mitchell, what position do you hold now in organized labor? A. Not any at all.

Q. You formerly held what position? A. President of the United Mine Workers of America and vice-president of the American Federation of Labor.

Q. And you are now one of the compensation commissioners under the Workmen's Compensation Law of the State of New York? A. Yes, sir.

Q. We have been discussing to-day the minimum wage question generally, and we will be very glad to have your views upon the whole subject? A. Of course, that is a very large question, and it is difficult to express any comprehensive views of it in the short time that I can stay here. From what study I have given to the subject and what investigation I have made I became convinced that the State should establish minimum wages for women and minors. I mean to say that I think it would be wise and that it is necessary for the State to establish minimum wage boards and that such boards shall have the power to fix minimum wages for women and minors employed in industry. Of course I repeat what I stated in an article I prepared on the subject, but I am aware that all representative workmen do not concur in my views in regard to this matter, and that many of them seriously question the wisdom of establishing by law the minimum wage that should be paid to workers in industry, but I think the result of all the investigations that have been made either by minimum wage commissions, legislative committees or by vice commissions in this country or unofficial investigations have demonstrated clearly that a large number of women and minors are not now receiving a wage sufficiently high to enable them to live healthy, normal lives, and that failure of these women and minors to earn a sufficient wage to enable them to live healthy, normal lives constitutes a menace to society itself. I regard it as being the duty of the State to require that industry shall pay living wages to workers and I will limit my statement to women and to minors. I think an industry that can not afford to pay living wages is of no

value to society, and it would be better that it should not exist at all than to exist at the expense of underpaid women and children.

I do not know whether your commission has made a special investigation of the system in other states. I think perhaps that a thorough investigation of the experience in Oregon would be of considerable value because there I think they have the most effective of the minimum wage laws, and while I have not read the reports of their commission, yet what has been published concerning the minimum wage commission, the operation of a minimum wage law in Oregon would seem to confirm the belief that industry itself has not suffered by the establishment of reasonable minimum wages.

Q. Mr. Mitchell, have you formed any opinion with reference to what you believe would constitute a living wage for women? A. Well I can't say that I have made a sufficient investigation to justify me in naming a figure which I should regard as a fair minimum wage. I do not mind saying in a general way that under present conditions, that is now, perhaps in the cities of the first class in New York State that the minimum wage should not be any less than nine dollars and that in cities perhaps of the second class, where the cost of living might perhaps not be so high, and if the cost of living were found not to be so high that a salary less than that might enable workers to live. By that I am not suggesting the advisability of fixing different minimums in different cities; I am simply calling attention to the fact that in fixing the wage it might be different in one city than in another. I think for obvious reasons the same industry would have to pay the same wage as a minimum in all of the cities otherwise the competitive relationships would be so changed that it might unnecessarily injure industry. Now, of course, what would be a fair minimum this year might be entirely too low five years from now, just as the wage paid fifteen years ago, which might have been a minimum wage then would be entirely inadequate nowadays and it is for this reason that I suggest that these wages be determined by wage boards rather than as it is in the statute I think in Utah.

By Commissioner GOMPERS:

Q. Mr. Mitchell there is a growing movement among the women of the United States and a co-operation among the men for the

enfranchisement of women equal with all men; it has been urged that if woman is to be regarded as a ward of the State, so that her wages shall be determined, at least a minimum determined by wage board or otherwise, that it would be in conflict with the spirit of the equality of woman with man; I know you have views upon this subject and will you benefit the Commission by giving them? A. Well it seems to me that if the fact that women are likely to enjoy the same power as men as voters would be offered as an objection to the establishment of minimum wages that the same objection should also apply to any other legislative restriction. For instance it could hardly be said that women should not be protected from working at nights or for unreasonably long hours or under conditions that were destructive of their moral health simply because men are not prohibited from working under these conditions. I think that quite apart from the fact that women may vote or may not vote that the very fact that they are women makes it necessary in the interest of society, and in the interest of women, that they shall be protected in some ways that men are not protected. A man may not suffer in health from working at night, he may not seriously suffer, whereas working at night might seriously impair the health of a woman. A man might under some circumstances work ten hours a day, and yet if women worked ten hours a day it might seriously injure their health. There are other classes of employment that women should never be permitted to do.

Q. Night work for example? A. Yes. For instance if the women claim and secure all the rights of citizenship now enjoyed by men, if that should also carry with it the right and responsibility to do these things that men might do then of course women might be employed in mines digging coal; they might be employed as motormen on the street cars or as scavengers in the street and yet we can hardly conceive of any circumstances by which we would tolerate women working in the mines or being teamsters on the streets of New York.

Q. What would you think of the State establishing minimum wages for all minors and thereby having established a minimum, the economic influence of an established, recognized, fair minimum wage, and its reflex influence upon the wages of women workers who have attained the legal majority — I want to convey the idea

that is in my mind — would it not maintain the political integrity and equality of women with men, which we are all trying to secure, that is those of us who believe in it, and be of a great advantage in the material help to women workers who are above or attain and pass their majority? A. I think Mr. Gompers the influence of an enactment of that sort would be most beneficial. I can understand of course that if minimum wages were established for all minors that the influence of it would be to raise the wages of women and men in these industries after they had attained their majority and yet with the overwhelming number of applicants for jobs that we find in most of our industrial centers I haven't the slightest doubt but that in many cases we would find women who had reached their majority working for less wages than the children whose wages were protected by law. In other words I fear that as long as there are two persons looking for one job, as we so often find (that is the oversupply of labor is not an abnormal condition in New York or in any center of industry, it is quite the usual thing), if there be more workers than there are jobs I fear then that women would not be sufficiently protected in their wage sufficiently high to enable them to live normal lives.

Q. Don't you think it would have some influence in inducing the women workers to organize better than they are to-day and thereby by their associated effort help to raise wages and improve conditions? A. Well, I think it might have that effect. I am free to confess the thought you have expressed is new to me. I think the great difficulty about the whole situation as far as women are concerned and their failure to organize as they should do is the fact that while many women do spend all their lives in industry few expect to do so. I think that it is the common expectation of women when they are in industry that they are going to remain there only a few years. A woman expects to marry and she expects to have a home. It is not her expectation when she secures a job that she is going to spend all her life as a worker and therefore the appeal to them to organize does not reach them with the same force that it does to men who know that their whole lives are to be spent in industry and I am afraid that unless through some legal process society can give forcible expression

to its desire that women shall receive at least a sufficient wage to enable them to live healthy lives that they will not get that wage, that large numbers of them will not secure that wage.

Q. Mr. Mitchell, you said that the thought is new to you; I will be very frank in saying to you and for the record that the thought came to me about a few months ago. You know of course that the Commission and counsel and the best thought and trend of our people are with you and the thoughts you express as to the deplorable condition and the low wages of women workers. You know my trend of thought; we have often exchanged our views upon this subject, but the apprehension which as a workman, as a commissioner, as a citizen I feel in regard to this subject concerns several things. Two of them I may mention. One that the opponents to equal suffrage will have the best argument against those who want to establish the equality of woman with man. The other is that if the minimum wage for women, citizen women, is established it makes her political status inferior to that of men. Now in trying to think out something better — A. Would you mind if I interrupted you; would any discrimination have precisely the same effect? That is I take it — I know of course that you would not say that there should be no special legislation in favor of women, that some legislation might not be required such as night work and so on —

Q. The principles of fundamental liberty, status, are involved. Now as I say the apprehension which I felt of the final injury that it would do the status of women, the arresting of the development of the status of women, has all given me considerable concern, and in the effort to try and reach a means by which the result can be accomplished without invading the inherent right which we hope to establish for womenkind the immediate result would be a financial benefit to the women worker, but it is the travail of the world's history and development which we all of us in a way suffer, and I have asked the question as to the proposition of a law which the Commission might recommend for enactment which would establish boards, or as the thought might be best expressed, for minors, boys and girls, and being so it would not invade the political rights of any citizen or any one entitled to become a citizen; whether its influence would not be uplifting

of wages, status, hours, conditions of employment of all who worked. You said it was new to you but the thought was not in my mind to a few months ago and I have never heard any one else express it and I have retained it for myself for questioning? A. I would like to give a good deal of thought to that. It does come to me as a matter that requires thought.

By Mr. ELKUS:

Q. Mr. Mitchell after you have given the matter such thought as you deem necessary will you communicate with the Commission if you desire? A. Yes, sir.

Q. If such a law was enacted might it not have the effect of minors not being employed at all, that is if the State requires the wages of minors to be above a certain figure wouldn't that practically in some industries prevent the employment of minors? A. I think it is important to think of it from that viewpoint.

By Commissioner DREIER:

Q. A minimum wage for minors, considering minors as learning a trade, would be a comparatively little thing wouldn't it; could we possibly build a living wage on the proposition of minors who are being trained for a trade or into a trade? A. I should say it would be necessary if it were finally to be decided to enact a law applying only to minors, I should say the wage would have to be graded in accordance with their experience, that is an arbitrary wage, that is the same wage applying to all minors in any given industry would not meet the situation because, as I understand the theory of minimum wage it takes into account whether during the learning period the wages shall be less than after some skill has been obtained and I take it Mr. Gompers has in mind that feature as well.

Commissioner GOMPERS: Unquestionably.

Q. May I ask whether wage boards established in different industries with representatives of employers and employees, an equal number on that board, would be detrimental to organization? A. I think not. My own observation has been that wherever employees for any reason come together to consider any subject that the influence of their gathering, their meeting has been to promote a desire for better economic conditions and the tendency

I think leads to a desire to become members of a trades union. The most difficult situation is where the employers and employees never meet together to consider any question that affects their own material well being, and if they meet at all it is simply in a social way, so I say I think the influence would be to promote organization rather than to retard it.

By the CHAIRMAN:

Q. I suppose your view is if women organize the same as men do there would be no need of discussing minimum wage? A. I should say so.

Q. In all organized trades you have a minimum wage? A. In all organized trades. If women organized as well as men organized it would not be so serious a question, but they do not however much we may try or how earnestly we may desire that they shall, the fact remains that they do not organize.

Mr. ELKUS: Thank you very much, Mr. Mitchell. Will you let me hear from you if you have anything further.

Mr. MITCHELL: Yes, sir, I will.

Mr. WM. C. KEISH (of S. E. Greenfield's Sons), addressed the Commission.

By Mr. ELKUS:

Q. What is your business? A. Manufacturing confectioner.

Q. And the name of your firm or corporation? A. S. E. Greenfield & Sons.

Q. And where is your place of business? A. The factory is in Brooklyn.

Q. Your concern was one of those which the Commission investigated? A. Yes, sir.

Q. How many people have you employed in your factory? A. At the present time I should say about 650.

Q. Women mostly or girls? A. Yes, sir.

Q. Are you working now to your full capacity or is this your dull season? A. This is the dull season.

Q. Last month how many did you employ, just before Christmas? A. We had about 800.

Q. Is that your full capacity? A. Just about.

Q. Are the people in your business, the employees, organized or not? A. No.

Q. Unorganized? A. Unorganized.

Q. Have you a minimum wage yourself? A. Yes, sir.

Q. How much is it? A. Five dollars.

Q. Can you tell the Commission whether or not \$5 is a living wage for a woman who has no other means of support? A. I wouldn't like to say, that might be open to question.

Q. Have you made any investigation of the subject? A. No, I have not.

Q. What is your view as an employer of labor as to whether or not the State should legislate with reference to wages of women and minors where they receive wages which are less than a living wage? A. Well, we are neutral so to speak. I wouldn't object to it if it were enacted but we are not particularly in favor of it.

Q. Have you considered the question at all? A. No, not particularly.

Q. Do you believe that the State should interfere? A. From the commercial standpoint, no.

Q. Why not? A. I think the law of supply and demand will take care of that.

Q. Now supposing a woman receives \$5 a week and she can not live on it, does not the burden fall upon the State directly or indirectly because of that? A. I imagine so.

Q. Now do you think the State should remedy that or do you believe it should allow it to go on? A. That would depend upon the point of view. Viewed from a social standpoint perhaps they ought; viewed from a business standpoint I think they ought to leave it alone.

Q. You think it might injure business although it would be a good thing from a social standpoint? A. I wouldn't like to say that, we would have to make our business adjust itself to the new conditions.

Commissioner DREIER: You think you could do that?

Mr. KEISH: I hope so.

Q. Anything further you would like to say to the Commission about the matter? A. Is it the intention if this law is drawn and

proposed to make two minima, perhaps one for minors say under 18 years of age and another for those over 18 years?

Q. There has been no decision as to any legislation? A. I wanted to know if that was in mind, if it had been thought of.

Q. All these things have been discussed but none of them have been even tentatively agreed upon? A. Then it would naturally follow that suppose the law were passed and any minimum be set, \$8, \$9 or \$10, that an employee working half a week would naturally be paid half the amount — that naturally follows:

The CHAIRMAN: We are only discussing the principle, We have not got down to details.

Mr. KEISH: Yes, sir. I only wondered if that had been thought of, if that was part of the idea.

Q. Are the women employed in your business able to read and write? A. Most of them. I would like to say in connection with that that we have made arrangements with the Board of Education to establish a school in the factory where we will have those who would like to take advantage of it, we will have one hour per day set aside in which they can better themselves along educational lines. We are arranging that now.

By the CHAIRMAN:

Q. When would that hour be taken out A. It won't be taken out at all.

Q. Will it be during business hours? A. During business hours. It will be our contribution to their education.

By Mr. ELKUS:

Q. If I understand your position correctly you would not oppose such legislation? A. No, we will not.

Q. Anything further, Mr. Keish? A. No.

Mr. ELKUS: Thank you very much.

Mr. BENJAMIN FISCHER addressed the Commission:

By Mr. ELKUS:

Q. What is your business? A. We are manufacturers of men's shirts.

Q. Where is your place of business? A. New York City.

Q. Your factory also? A. Well we have two factories in New York city and one in Long Island.

Q. You employ girls and women? A. Yes, sir.

Q. About how many? A. Well, I guess our capacity and limit would be about 500.

Q. By the piece or by the week? A. Piece.

Q. Mr. Fischer we would be very glad to have your views upon the question that is under discussion; what is the name of your firm? A. L. Loewy & Son. I would be very glad to give you lucid information upon the subject but I am afraid that it is one that is so broad that it has to have careful consideration, but I will say this, that speaking from observation I would not be in favor of legislative regulation of wages. In the manufacturing industry it becomes a different proposition from that applying to the retail store business. I have this to contend with. If you legislate a certain rate of wages in the State of New York and you are able to produce in the State of Pennsylvania cheaper than you are in New York you are not able to compete with the State of Pennsylvania. The man from Pennsylvania comes into the State of New York and sells his product cheaper than you can afford to sell it and consequently you are up against a very serious proposition.

Q. Mr. Fischer that same argument has been used with reference to a great deal of legislation every time — I don't mean about wages or labor but about everything. I think Senator Wagner will bear me out when I say that I suppose 50 or 75 per cent. of legislation is opposed upon that ground; isn't that so, Senator?

The CHAIRMAN: Yes. While you were talking I had in mind the compensation law which was enacted. There were some dire predictions made that we were going to drive every industry out of the State and yet I think it has improved conditions and at the end will better conditions.

Mr. FISCHER: We were one of the first concerns that went into the state compensation, but the premium on compensation is very insignificant to the total wages you would have to pay out.

That is an expense item that can conveniently be borne. It will cut down profits by a couple of hundred dollars a year only. The premium on insurance is insignificant as compared with legislation on wages.

Q. Didn't they say the same thing about hours of labor? A. Hours of labor are a little expensive. It cost us money but we were not opposed to it because it was a good thing.

By the CHAIRMAN:

Q. Don't you find that the laborer's efficiency is improved with all these betterments so that in the end the manufacturer gains instead of losing? A. That all depends. In our line the purpose of a day's work is to get towards efficiency. That is to say the more a person turns out the more she earns, and consequently the one who is not able to do good work does not earn as much as the one who is. I can not see that it to any great extent increases the efficiency pro rata of the employee. We have not observed it as close as that but I will say this, that under State legislation, if you tell us we have to pay our employees so and so much we have a fixed expense to meet and as long as we can not control the volume of business it would be a very difficult matter to keep our concerns on a sound, financially sound basis. You are taxing us with a fixed expense we have to meet every week. Now we have to get around it somehow. I was listening to Mr. Wanamaker's plan of this morning in which he says State legislation of this sort could be tried — if it should be tried we would not oppose it, and we would have to work on some method of getting around the figures you have imposed upon us. We would have to cut down our employees because we have a certain fixed expense per week. We would have to do away with some of our help. Now if we do that and the next fellow does and the next fellow down the line it will throw upon the market surplus help.

The CHAIRMAN: Will you fill your orders?

Mr. FISCHER: We will have to tax the individual a little more than he has been taxed in the past.

By Commissioner GOMPERS:

Q. Taxed in what way — he will have to work harder? A. He will have to work harder. You say in the State of New York you want to pay \$9 a week. All right, we will have to pay him \$9 a week whether he is able to turn out \$9 worth of work or not, so we will go through the ranks and select people who can turn out \$9 worth of work a week, and those who have been satisfied with earning less because they can't earn more we will have to eliminate.

Q. What do you mean, discharge them? A. Discharge them.

Q. Senator Wagner asked you how you are going to get your work out if that same process is going to be followed by the men in the same line of work? A. We will have to cut out a lot of features, other things we are able to stand at the present time. We will have to take advantage of every moment of the day in order to get as much for nine dollars a week as we can possibly get.

By Mr. ELKUS:

Q. In your business the employees work by the piece? A. Yes, sir.

Q. They are paid by the amount of work they do? A. Yes, sir.

Q. And if they do not turn out the work they do not get paid for it? A. Yes, sir.

Q. So that the question of a weekly rate would simply mean that you would require them to do a certain amount of work each week before they got nine dollars A. Correct.

Q. Otherwise, you would not keep them? A. Correct.

Q. It would not affect you at all, would it? A. No, not at all; I am speaking from the employees' standpoint. I say broadly we always like to do anything we can to accommodate the employees.

Q. You mean, if a minimum wage law was enacted, for instance, that such employees in your establishment would only be kept who would do enough piece work at the rates which were fixed and the others would be allowed to go? A. Whereas, under

the present circumstances we have lots of them who can not earn that much, and they are simply paid for whatever they can do.

Q. That is, they work slower? A. They work slower.

By Commissioner GOMPERS:

Q. Supposing your employees, those who are working at the same class of business, suppose they were to organize a union and present to the trade a demand for a minimum wage of nine dollars a week, what would be the result? A. The ultimate result would be that a great many of them would probably go out of business.

Q. Great many of whom? A. Of the manufacturers.

Q. Has that been the case with other of the needle trades?

A. Yes. A few years ago, I understand, there was a strike in the undergarment line as a result of which there were a great many bankruptcies.

Q. Do you know whether there were a less number of people engaged in the underwear, ladies' underwear manufacturing, than before the strike? A. That I cannot tell you.

Q. Is the production of ladies' underwear less than it was then? A. I don't think so, but I say this, that a great many concerns who stood or were able to stand the cost, they had the volume of business, and consequently the volume made up for it, but the other concerns who went backward or held even could not stand the pressure, and I remember now, it comes to my mind, that at that time when a great many failures occurred, at least the counsel for the debtor would use the strike as a very good pretext. He would say, owing to strike conditions in the industry we are unable to go any further.

By Mr. ELKUS:

Q. Anything further, Mr. Fischer? A. The only other thing I could suggest is (and I do not think you can legislate upon that) would be a profit sharing, and if all the manufacturers would look upon it in that same light I think a great deal of the wage problem would be solved; but that is something you can not legislate upon, and otherwise I do not see any way out of it. I would put myself on record, in other words, by being opposed to legislation of that order.

Mr. ELKUS: Thank you very much.

Mr. HUGH FRAYNE addressed the Commission:

By Mr. ELKUS:

Q. You are the representative of the American Federation of Labor in this State? A. Yes, sir.

Q. What is your official position? A. The New York representative of the American Federation of Labor.

Q. We would be very glad to have your views on the question under discussion. A. First, I want to say that the resolution read here at the opening of this session by Mr. Tomlin, representing the Central Labor Union of Brooklyn; I take exception to that resolution as representing the views of 80,000 people for the very reason that it was adopted by a delegate meeting of possibly fifty delegates who spoke as delegates, without any authority or instructions from their respective unions. For that reason I do not want it recorded that 80,000 people endorsed that resolution.

Mr. Chairman and members of the Commission, the question of a minimum wage by law is a very serious problem and one that must be approached very carefully. Organized labor of the State of New York is not asking for this law. They have not endorsed or proposed any law, neither have they authorized those who are promoting it to speak for them in that respect, notwithstanding that it has been stated that the American Federation of Labor only represents a certain organized group and does not speak for the unorganized and the unskilled; I want to say that the American Federation of Labor does speak for the unorganized. The standards of living to-day among the working people of this country have been established by the American Federation of Labor, that is, through its affiliated unions and their organized effort and activities. The unorganized workers of yesterday are the organized of to-day, so that we include them all. The strangest features of the activities on the part of those who want to promote legislation which will create a minimum wage law does not come from the activities of organized labor or their representatives except in a few instances, but comes from those who are representatives of colleges and social workers, and while they have some intercourse with the labor movement they do not speak or have authority to speak for a law of this kind. It has been stated that this law has been enacted in other states and is working out very success-

fully. I am not in possession at this time of certain data, but I hope I will be given an opportunity to present it later on for the records, coming from some of these sections of the country where minimum wage laws are in operation, and we will be able to show that it is not what it has been claimed by some of those who are advocating the enactment of a law of this kind in the State of New York.

In San Francisco the trade unionists issued a statement warning their members against the enactment and the conditions of the law that it might make the conditions of many much worse than at the present time.

"OPPOSE 'COMMISSION LAW'"

"SAN FRANCISCO, October 17.

"The Labor Council has gone on record in opposition to Constitutional amendment No. 44, which will be voted on by the people next month. The unionists charge that the title 'minimum wage amendment,' is misleading, as the proposal not only covers minimum wage legislation but extends powers without limit to those commissions now in existence and to those which may be created in the future.

"The Garment Workers' Union has published a list of reasons why this amendment should be defeated. These workers raise a warning cry against the proposal, and say, in part:

"We believe that the mere reference to the proposal that the legislature shall have power to 'confer upon any commission now or hereafter created such power and authority as the legislature may deem requisite to carry out the provisions of this section' is enough to condemn it in the eyes of every citizen who values his freedom from 'regulation' at the hands of officials.

"The proposed amendment first vests in the legislature authority to pass any law which it may deem to be for the general welfare of any and all employees, and then it authorizes the legislature to 'confer upon commission now or hereafter created the power to enforce the law.'

"Such authority is greater than can safely be trusted to any legislature, no matter how sincere or intelligent it may

be. Such authority in the hands of the legislature or indifferent to the rights of labor would be destructive, not only of all hope of progress, but even of the means of self-defense against reactionary legislation. It would endanger the liberty and safety of all wage-workers, because an unfriendly commission, under this amendment, could make actual slaves of them."

It has been stated that unless women and minors employed in certain industries are protected by a law of this kind there is not much chance for them to help themselves. We have accomplished a great deal in that direction in various parts of the country, but without going outside of it I am going to refer to what has been done in the State of New York and especially in the city of New York. I have here a copy of the protocol in the cloak and suit industry, in the ladies garment trades, made in September, 1910, and the second one made in January, 1913. My first reason for sanctioning this is that in that industry, the ladies waist and skirt makers union, prior to the signing of the protocol on which President Gompers', a member of this commission, name appears, less than three thousand people were organized and within twenty days after the signing of the document, which has established not only trade union standards respecting wages, hours of employment, sanitary workshops and other conditions, but carried with it within twenty days the organization of something like 25,000 instead of 2,500, the largest number of these being women and girls. The standards established are far in excess of anything that can ever be established by any kind of a law that you might enact.

The answer will be made by some who are in favor of an enactment of a law of this kind, "well, these are skilled workers" — some of them are very skilled but they are the very small minority. There are just as many who are not overly skilled in that industry as in others, as those who are held up as an example. For instance, the paper box industry is composed of very highly skilled workers, both men and women, and I might say that prior to two years ago we had a fairly good organization in that industry here in this city, and at that time the wages and standards were much higher than ever could be established by any law that might be enacted,

except a trade union law, by way of an agreement between the union and the employer.

Q. Mr. Frayne, may I interrupt you for a question; as I understand your view you think the situation should be remedied as to these low wages, that is, where people receive less than a living wage, and your idea is that the remedy can be met by an agreement with the employer or manufacturer through organization of the employees? A. Undoubtedly.

Q. Now, you think that it is only a matter of time, as I understand, when there will be organization among these employees where there is not now? A. There is no doubt that in time all of these industries will be organized.

Q. And in the meantime you think conditions should be allowed to go on as they are? A. In the meantime I believe that the effort that is now being put forward to create a law, one that in my opinion will be doubtful, and nothing more than an experiment, but an effort should be put forth for those people to organize them into trade unions.

Q. Can you tell the Commission how many women are now organized in New York? A. I doubt whether I could give the figures or not. In the ladies' and mens' garment industries there are about 200,000. It is claimed that about 80 per cent. are women and girls in the ladies' garment industry.

Q. How many are not organized in all the industries in the State? A. I do not know that I could give the figures of the unorganized, but according to the last report of the labor department we have six hundred and thirty-five thousand organized workers in the State.

Q. Altogether? A. Altogether.

Q. Men and women? A. Men and women and possibly five hundred thousand or nearly that number are in Greater New York or vicinity.

Q. Pardon me for interrupting you. A. I want to offer for the information of the committee this information.

By Commissioner DREIER:

Q. You approve of this protocol? A. I do, it is a means to an end. It will ultimately bring about trade union conditions and

in the meantime it is establishing standards for those engaged in the industry, educating both them and the employers.

Q. Don't you think that the individual wage boards in industry might do the same thing? If an employer and employee could come together to discuss wages wouldn't that be possibly the beginning of organization? A. That would make an indirect route to transact the business through a third party rather than have the union and the employers treat together through the means of committees such as they are doing now in their various organizations.

Q. Would it not be practically the same thing as a committee if the workers were called together to select their representatives and the employers called together to select their representatives? A. The danger of that would be that many persons might become members of those boards, especially on the opposite side, who would not have as much knowledge of the work as they should and thereby the workers would suffer accordingly.

By Commissioner GOMPERS:

Q. What means have workers generally of judging the capacity of their associate workers in a factory as to their capacity and faithfulness for the workers themselves if they are not organized? A. They have very little chance where there is unorganized conditions except as it may come to them by chance in their daily intercourse with each other; unorganized workers rarely ever discuss their affairs with each other. The knowledge that one might be more skilled or less skilled than the other is a matter of indifference to them.

By Mr. ELKUS:

Q. Is there anything further? A. I wanted to say that the record of previous meetings show that the statement has been repeatedly made that the American Federation of Labor does nothing to help or try to bring about improved conditions among these unorganized, unskilled people. Here in New York about 90 per cent. of the time of the representatives of the Federation, of which there are about five or six now, is devoted to looking after the welfare of the unskilled and non-English speaking workers, both men and women, women especially.

Q. Mr. Frayne, has the American Federation of Labor, as an

organization, taken any action upon this question or do you speak in your personal capacity? A. The American Federation of Labor has taken no action.

Q. You speak in your personal capacity only? A. Yes, of course with the knowledge and opinions of many with whom I have discussed this matter.

President Gompers of the American Federation of Labor, in writing upon this subject in the July and August Federationist, 1914, had this to say in regard to the minimum wage legislation:

"The A. F. of L. is not in favor of fixing, by legal enactment, certain minimum wages. The attempts of the government to establish wages at which workmen may work, according to the teachings of history, will result in a long era of industrial slavery. There was a time in English history when the government and the courts in quarter sessions established wages. During periods when there was a dearth of workmen and employers offered higher wages, both the workmen and employers were brought into court and punished by imprisonment and physical mutilation because the one asked, received or demanded, and the other was willing to offer, or did pay, higher wages.

"The A. F. of L. is in favor of fixing the maximum number of hours of work for children, minors, and women. It does not favor a legal limitation of the workday for adult men workers. The unions have very largely established the shorter workday by their own initiative, power and influence; they have done it themselves. The A. F. of L. is opposed to limiting, by legal statutory authority, the hours of work for men in private industries. The A. F. of L. has apprehensions as to the wisdom of placing in the hands of the government additional powers which may be used to the detriment of the working people. It particularly opposes this policy when the things can be done by the workmen themselves.

"In regard to minimum wage legislation I think it is generally regarded that children, women minors anyway, and perhaps women, are the wards of the nation. They are not enfranchised, they have no political rights, and they have not yet attained any of the economic rights that workingmen

have. They have not thus far protected themselves industrially as the men have. They have not as yet to any large extent shown a capacity to protect themselves. They have sometimes shown this capacity, and have made magnificent fighting and self-sacrificing trade unionists."

I favor the establishment of a living wage in industries that recognize trade union standards but it should be established, not by legislative enactment, but by trade agreements between employers and the unions.

The minimum wage law prevents the workers from taking any initiative to improve conditions by organizing. It makes them dependent rather than independent.

[What minimum wage laws may do or promise to do for the workers can be done much better and more permanently by organizing into trade unions.

I believe in the establishment of wage boards, boards of arbitration, for the adjustment of grievances and complaints between employer and employee, where a union of the workers exists.

During the gradual decay of the feudal period the workers were shackled to the soil and their compensation for work was determined by either the master or the courts.

Minimum wage laws and different forms of social welfare work are more likely in the end to be a hindrance to the workers than to be helpful by deflecting their attention from the more constructive work of organizing and perfecting strong unions.

Man's ownership in himself is only possible by his ownership in his labor power — if he assigns that to others, or permits it to be taken from him — he is no longer free.

Wages by law is not new — it was used in England when the wages of workers were set by law as well as the price of the goods sold.

If a minimum wage can be established by law is there not a danger that the same thing might be done in establishing a maximum law? In my opinion a minimum eventually becomes a maximum anyhow.

The eight-hour day established by law in Colorado was a failure until the miners declared a strike demanding that it be enforced and that several other laws enacted be put in operation, and if the

coal operators do accept President Wilson's recommendation it will prove one thing, that it required a protest on the part of the workers by striking to enforce the operation of a law that had been enacted but which the State seemed to be powerless to do. In a word, the union accomplished by striking what the State failed to do by legislation. Might not this same thing happen anywhere with a minimum wage law?

The improved conditions of the organized wage earners in all branches of industry is an evidence of what can be done by trade union activities. There are other things besides mere wages, whether it is a minimum established by law or through trade unions. We want wage earners to be organized into trade unions so that they may share not only in the benefit of higher wages and a shorter work day but all of the other improvements brought about by the union as we maintain that there is no greater moral force for good and the general uplift than that which comes through organized efforts and we consider that the question of a minimum wage is merely one of the units that go to make up the great humanitarian work being done by the trade union movement.

While personally I am not opposed to the efforts of some of the forms of social work being done for the improvement and the lessening of the burdens of our people, I am unalterably opposed to the substitution of any and all kinds of social work that would attempt to take the place of the trade unions to bring about better conditions generally among the workers of our country.

Q. Have you any information as to what is a living wage for a woman in New York State? A. I believe that I gave your committee some time ago my opinion in writing and I think I can repeat it very closely. There were four or five questions at that time to be answered. In the city of New York a living wage for a self-supporting girl between sixteen and eighteen years of age should not be less than ten dollars per week and that means, of course, living, not existing.

By Commissioner DREIER:

Q. Would you increase that? A. Proportionately, yes, up to those receiving twenty-five dollars a week and having possibly three or four dependents.

Hon. JOHN MARTIN addressed the Commission:

By Mr. ELKUS:

Q. Mr. Martin what is your profession or business? A. I am a publicist, a member of the Board of Education and of the Advisory Council of the Association for Labor Legislation.

Q. Will you give us your views with reference to this matter? A. I approach this question on the assumption, Mr. Gompers, that woman is weaker economically than man and cannot possibly ever attain in equality with man in power of competitive industry generally. Her weakness differentiates her from man. Normally she is in industry only for a short period and that incapacitates her for collective knowledge as man. Knowing that she will leave wage industry when she marries she will not make sacrifices for a distant benefit as a man would make who expects to be in the industry his whole life and to get the distant advantages of strong organization. Therefore she has proven as a matter of fact much weaker in industry, much more subject to the need of State protection. On that account it is only a continuation of a policy well established to give her additional protection by establishing for her a minimum wage and that cannot logically be done without a question of a man's minimum necessarily being involved. I think in all cases where a minimum wage for women has been established it has been reckoned as an individual living wage, whereas if it were established for men, it should be reckoned as a family living wage. That to my mind is a fundamental consideration which should never be lost sight of in discussion of legislation on this subject. The women by law and by custom and for social preservation should not be expected to support a family. The man by law and by custom and for social welfare should be expected to receive a wage sufficient to support the family, so that when you establish a minimum wage for women you are dealing with a different problem from the problem of establishing a minimum wage for men — on the whole a simpler problem. At the most you have to include the cost of the individual living wage. The difficulties are not in theory but in practice. My own judgment is that in America so far dangers have been unnecessarily encountered through not taking sufficient account of the experience of Europe on the same subject. Now in Europe this law has

been uniformly applied first to the trades that were grossly sweated, such as the chain makers of Staffordshire. It is possible without making any economic disturbance to bring up considerably the wages in the most grievously sweated industries, and I think it should be first applied to them. The public sentiment in favor of a living wage is based mainly upon the indignation against the scandalously low wages paid in certain sweated industries and there the remedy should be first applied. I would make the minimum at first very reasonable. I should not to begin with establish a ten dollar rate or a nine dollar rate.

I heard last week one of the chief workers for the minimum wage in Washington declare that if she had to do it over again she would not make that agitation because the wage women of Washington are themselves to-day saying "for Heaven's sake you social workers let us alone, you have done us more harm than good," because the employers are using all sorts of devices to avoid the effect of what in my judgment was a too drastic and sudden application of this principle. The effect of such a wage on an industry will depend entirely upon the proportion which the labor crop in that industry bears to the total cost of the product. I take at first the industries such as the candy industries, for instance, where an increase in wages in considerable amounts would make an inconsiderable increase in the total cost of the article. One reason why in Washington they are having considerable difficulty is that the supply of youthful labor is so abundant that they are able to dismiss the workers after the one year's apprenticeship, as soon as they would be able to demand the legal minimum, and supply their places with those fresh from school practically and therefore with a gradual introduction and extension of the minimum wage principle must come, to make it effective, a raising of the school age. We have in this State at present a sort of optional school law, under which the Board of Education when it has established the continuation schools may compel employers to permit their employees to attend certain hours of the week. I am satisfied that your minimum wage legislation will not be ultimately successful or successfully enforced unless accompanied with an increase of the school age and a better training of those who are likely to enter these very low skilled industries.

Q. To what extent do you think the school age should be raised? A. Well I think as quickly as possible we will have to raise it to 18, that is to say the school age for all day employment, with half day employment in continuation schools up to 18, so that when they enter into industry for full time they will have a skill which would make it possible for them really to earn more than the minimum likely to be set.

Our experience with the girls at the Hudson Training School for Girls is that with only nine months training they can often command without legislation considerable increases of wages, and while it is perfectly true that an industry which does not pay to its workers a living wage is a parasitic industry, yet we have to face the problem what shall we do with these workers if we establish a minimum wage which in fact they can not earn, and it is far better to proceed to prepare them by training them to earn the wage than to be compelled to sustain them with charity or some other means when they are thrown out because in the end an employer will not keep persons and pay them a wage which they are unable to earn. Of course we would all recognize that in the case of an idiot or feeble-minded person. We would recognize the employer would not keep such a person because such a person did not earn the wage.

The last point, or one of the last points is, with respect to what Mr. Gompers mentioned about making a minimum wage for minors. I think boys under age should be protected against undue exploitation and physical exhaustion exactly as much as girls but I do not think that particular boys or girls should be expected to be self-supporting. We could not expect our children before they were 18 or probably before they were 20 to be self-supporting. The old time apprentice was never self-supporting before he was 21 and we rather want to work to obtain conditions where up to 21 the boy especially will be getting additional training and preparation for life and not be expected so soon to become self-supporting.

And the last point is that I hope in your deliberation you will not as apparently hitherto forget altogether that one-third of these women who are in manifold occupations are engaged in domestic service, and that is the one occupation in which the women get

absolutely no legislative protection. They do not even get a one days rest in seven, they do not get a legal holiday, they do not get any limitation of hours, they do not get any regulation of wages, and just the one occupation which is on the whole the most advantageous occupation for women to follow is without legislation of any kind. It might be possible even to put a minimum wage which would be applicable to domestic service.

By Mr. SHIENTAG:

Q. You quoted Dr. McMahon of Washington as having said that the minimum wage law was bad; wasn't that due to the very poor order that was issued there, salesgirls under 18 were to get six dollars a week, women over 18 were to get nine dollars; of course the older girls were immediately displaced for the younger. That was because the order was improperly framed, wasn't it? A. Well she did not admit that was the reason, but that is the fact. They allowed one year's apprenticeship up to 18 and that was why I said it was essential to have the school age raised because it was the influx of these children below 18 which enabled them to turn out those over 18.

By Commissioner DREIER:

Q. Mr. Martin what about the training possible for some of the workers in some of these trades; take the paper box industry, the candy industry and some of these very low paid trades? A. Well of course I could not speak in detail. There are a number of industries certainly for which some training is possible. The worker does gain a skill by practice which increases her output and that skill can largely be acquired before going into the one kind of industry.

By Mr. SHIENTAG:

Q. What do you think of the proposition stated by Commissioner Gompers that the same effect would practically be obtained if the minimum wage law were limited to minors? A. I think that the result of that would simply be that minors would not be employed which would be in some respects an advantage, if you mean by minors those below 18.

Mr. PETER J. BRADY addressed the Commission:

By Mr. SHIENTAG:

Q. What is your business Mr. Brady? A. Secretary of the Allied Printing Trades Council of New York.

Q. We will be very glad to have your views on the subject of wage legislation for women and minors, Mr. Brady? A. I am in favor of a living or existing wage, especially for those in the sweated industries where the living or existing wage is not paid at the present time. I believe that in those industries where that wage is not paid at present, or if a minimum wage was established they would not be able to continue under the competition from other localities, that it would be more advisable for the State to get rid of parasitic industries of that nature. If they were all driven into one State or into one community and a sufficient number of them migrated there, from various states into that particular state, it would bring about federal regulation. A start must be made in some place and I do not know of any place to establish a higher standard than in the Empire State. My reasons for those views are that where an existing or living wage is not paid at the present time help must be secured from some source, either through other members of the family or relatives, charitable institutions or in some other way; the community has to carry the burden in one way or the other.

Q. And you would rather see it paid directly than indirectly?

A. That is the policy of the trades unions. As a trades unionist I would not care to see the State and would not have the State take over the rights to establish the rate of wages or conditions under which our people work, but in some industries where organizations have not been established up to the present time, and a great many of which have been viciously opposed by the employers I think the State should step in and regulate the wages that should be paid and the conditions under which the workers should be employed. The establishment of a living wage I believe should be by a special board created by the State or under possibly the State Labor Department.

Q. Have you any opinion as to what a living wage should be in the city of New York for a woman self-supporting? A. Self-supporting, twelve dollars. I think that that is the smallest. I

have read statistics and statements where some people say they can live on this. I do know that the people in the printing industry, women and girls employed in that industry, that if they do not receive that in actual wages they generally spend that amount if not more anyhow through some other source by being helped out by other members of the family. I believe all industries should not be less than that. A statement was made in the hearing of this Commission I believe in the spring that if a minimum wage was established and other factory regulations brought about that a great many institutions, business institutions, would leave the State. I said at that time I would like to have that evidence and before this Commission closes its hearings, as they must do in a short time, I would like to find out whether the public officials who made that statement have presented any evidence of that to the Commission.

Mr. SHIENTAG: Up to the present we have received no such evidence from a public official or anybody else.

Mr. BRADY: I am very much interested in that because I wanted to find out whether our agitation for living conditions really made employers move from the State and the reason I ask that is if they are contemplating that I would like to take up with the labor unions and other organizations in other states the enactment of these progressive laws that we have.

By Commissioner DREIER:

Q. Do you think that a wage board is detrimental to trade union organization, or would be detrimental to trade union organization? A. I am not prepared to answer that question insofar as the establishment of a living wage is concerned, I do not think so. I think it would encourage organizations, but if it was in the province of the scale board to regulate wages of unions then I would oppose it very much. For instance I would not have in my own union the right given to a State body to regulate the wages of conditions under which our people are employed.

By Mr. SHIENTAG:

Q. The theory of the wage legislation as you understand it is to regulate wages in the sweated and low-paid industries? A. Yes, sir.

Q. And to do the bargaining for those who have been unable to bargain for themselves? A. Yes, sir, and who have been discharged when they attempted to bargain.

Q. And you do not think the State ought to wait until they have succeeded in organizing? A. No. I do not. I am very positive if the State does step in, it will encourage organization in those trades and it will be only a short time before the burden will be lifted from the State of regulating wages in those industries.

Mr. SHIENTAG: Thank you very much.

Mr. ALFRED H. CRANKSHAW addressed the Commission:

By Mr. SHIENTAG:

Q. Whom do you represent? A. I represent the H. Bridgman Smith Company.

Q. In what business are they engaged? A. We manufacture paper boxes. There are two classes, as we feel, of manufacturers of paper boxes, those that sell the board or make the larger size paper boxes and those who make the smaller size or candy boxes. We make our product entirely by machinery.

Q. You employ a large number of women? A. A large number of women, yes, about 50 per cent. I should say which are unskilled.

Q. How many women do you employ? A. Running full, I should say about three hundred.

Q. We should be very glad to have your views on the subject of wage legislation? A. I feel on the question of minimum wage I do not see how it is practicable. The lowest wage that we pay for unskilled labor is five dollars a week working fifty hours. The laws call for 54, which the majority of paper box shops are working in New York. We work fifty hours a week and give them an hour for lunch.

Q. How old are these women that get five dollars a week? A. They average from 16 to 18.

By Commissioner DREIER:

Q. How much is your highest wage? A. Skilled operators work piece work with a bonus system. If a girl does so many a day she gets a bonus and those that help her or work in conjunction with her get a bonus also.

By Mr. SHIENTAG:

Q. What is your highest wage for unskilled workers without the bonus? A. Seven dollars a week. The skilled operator earns fifteen dollars a week.

Q. And you say fifty per cent. of your women are unskilled workers? A. Yes, sir.

Q. So that fifty per cent. of your women receive seven dollars or less a week? A. Yes, they average about five dollars or five dollars and a half all the year around. Coming to this question of minimum wage, if it is established by the State, the last speaker said he would like to see it at twelve dollars a week. Now our payroll shows that our future sales — the percentage of labor on the future sales was fifty per cent., that is to say, take one of the candy manufacturers who testified here to-day — we approximately supply him with \$50,000 worth of boxes. Now our labor on that is about 40 per cent. the labor on about \$50,000 worth of paper boxes is \$20,000 and figuring that 50 per cent. of that is unskilled labor that is \$10,000. Ten thousand dollars would be the proportion for unskilled labor. Now assume that this unskilled labor is \$5.50 a week instead of \$5.00 as I assumed it and we jumped this unskilled labor to twelve dollars a week it would bring it up to \$30,000 and I ask you if any of these candy manufacturers who have just testified will pay us on \$50,000 worth of business \$30,000 more. Either the manufacturer has to pay us an additional amount of money or we have got to increase our efficiency force or engineering force to work out some method by which we can do that which is unskilled labor. We are spending \$15,000 a year to overcome this competitive competition which we have in New York city to-day and I would ask this Commission or any member of the Commission to go through our plant and see whether it is not run at the highest efficiency in this State or any other state. It is all very well to say what the minimum wage should be but first there should be taken into consideration how are we going to get this additional compensation? Either the manufacturer has to charge it to the retailer and the retailer is not going to lose his profit, and it reverts to the consumer and for that reason, as we are selling labor and not board we are opposed to this minimum wage.

Q. What do you mean by not selling board? A. A man who sells a big shoe box is selling board. We manufacture small boxes and we sell labor. In other words the amount of labor that goes into our boxes would be a very small percentage of what goes into the other.

Q. The estimate of the previous witness of \$12 a week was undoubtedly a very liberal one, but now I am going to ask you whether or not in your opinion \$4.50 or \$5 is not entirely too low for a woman to support herself in decency in this city? A. That all depends on conditions.

Q. Under any conditions do you think any self-supporting woman can live on \$4.50 or \$5 a week? A. I am not saying a woman — when a woman gets to be 18 years old in our plant she gets beyond that or gets in some other business. In our plant we promote the girls from one step to another and a girl who stays in our plant and gets above 18 years of age, she gets about \$7 a week.

Q. Then you have no woman in your plant over 18 years who earn less than seven dollars a week? A. I can't say; there may be some.

Q. About how many are there? A. I cannot point to one girl who is not satisfied to stay there. I can point out one girl who is satisfied to stay there and she earns about six dollars on an average. In the paper box industry I think you will find we get that labor which will not go into any other line but —

Commissioner DREIER: It is not a skilled trade?

The WITNESS: Except on some of the machines. We have a welfare department in which we permit the girls to have an hour for lunch and we provide them with a nurse or woman to look after them who goes to their homes and sees why they stay at home and looks after their condition. Also any girl who attends to her work and stays from the first of July to the first of December of the following year we give her two weeks vacation to the Young Woman's Christian Association farm at Altamont, and we give her her wages in advance and she can go there — whether they are piece workers or week workers they can go there. For the piece workers, it is based on what they earn for the year. When they

are sick Miss Bundrath goes to the home and sees what is the matter with them. Under the Compensation Law the machines are being guarded. We are obliged to do that. If they are sick in the plant they can go to the rest room and lie down until they are able to go back again. It is discouraging at times to have our prices cut and we have been cut two thousand dollars on a ten thousand dollar job. I do not know how other people do it but those are the conditions we are under. We anticipate as soon as we can get in touch with the educational authorities to have a school for these girls who want to go to school an hour a day.

Q. If the wage board established the same rate of wages in New York city wouldn't it be of advantage to you? A. No it would not because it would tend to help those outside of the city to come in and undersell us because they have practically the same facilities we have.

Q. I mean if wages were established in the state? A. I have reference to Jersey, Pennsylvania, and other states where they can ship in here.

Q. If your people were organized and demanded higher wages how would that effect you? A. That is a pretty hard question to answer. We would certainly meet it in some way. I think it would eliminate a lot of this work that we are now doing for them to assist them.

By Mr. SHIENTAG:

Q. Are you opposed to the organization of your workers? A. Not at all. We encourage them to organize. In fact under the welfare management they do organize. We see that peace and harmony prevails and we have a dance every second and fourth Tuesday.

Q. You say if they ask for higher wages you would be obliged to deprive them of this welfare work? A. I didn't say so.

Q. You said you might have to deprive them of this welfare work? A. Exactly.

Q. You don't think that the welfare work takes the place of wages do you? A. No.

By Commissioner DREIER:

Q. How would you meet the situation of paying a living wage, not assuming it to be twelve dollar, but a living wage of perhaps

less than that, what would you do to raise this group of workers who can not live adequately on four and a half or five dollars; how would you meet that situation if you did not have wage boards established; should not the industry pay sufficient wages to the work people in it to make them self-supporting? A. I should think so.

Q. Isn't that one of the primary needs of industry to work out methods by which it can be done? A. I should say so. If every one of us could do it, if you could make all do it.

Q. Couldn't that be done through the state? A. From my experience in the last year with enforcement of certain rules on the part of the state it is very discouraging to see some enforced and some not.

By Mr. SHIENTAG:

Q. You are referring to the hours of labor of women? A. Not so much to the hours of labor as to the guarding of machinery.

By Commissioner DREIER:

Q. Effective organization on the part of workers would help that? A. I don't think so. I don't think organizations in the box industry would bring higher wages. I am satisfied of that. Take the scorers, the men who score the board. The same wages has been paid to those men for the last ten or fifteen years, what they are getting today. I think the first need to bring about is a strict enforcement of the sanitary code. It would force out these people who can not keep up the shop in certain conditions.

Q. Wouldn't the wage board help there? A. It would if it was not made up of politicians. If manufacturers are on the Board I think it would help.

Q. If there were manufacturers say in the paper box industry and employees of the paper box industry? A. That would help very much.

At 5.15 P. M. the Commission adjourned to meet on Friday, January 8th, at 10.30 in room 520 of the Municipal building.

HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATING COMMISSION, HELD IN
ROOM 520 OF THE MUNICIPAL
BUILDING, FRIDAY, JANU-
ARY 8th, AT 10.30 A. M.

Present:—HON. ROBERT F. WAGNER, *Chairman*,
HON. ALFRED E. SMITH,
MISS MARY E. DREIER,
HON. CHARLES M. HAMILTON,

Commissioners.

Appearances:—HON. ABRAM I. ELKUS, *Chief Counsel*,
BERNARD L. SHIENTAG, *Assistant Counsel*.

The stenographer was directed to note that Coroner Healy was in attendance but was obliged to leave in pursuance of a summons to appear before the Grand Jury.

Rt. Rev. FATHER McMAHON addressed the Commission.

By Mr. ELKUS:

Q. Father will you give your full name to the stenographer?
A. D. J. McMahon.

Q. What is your official position and authority in the church with reference to matters such as we are discussing? A. Supervisor of Catholic charities.

Q. Do matters of this kind come under your jurisdiction? A. More or less.

Q. Now father, have you considered the question of whether or not there should be legislation by the State with reference to fixing a minimum wage or living wage and having a board to take some action with reference to that matter concerning women and minors? A. I have. I have shown it by writing something on it.

Q. Now will you tell the Commission your views upon the subject? A. Well I think the time has come when some action should

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be taken by the Legislature, first because it enters into the upkeep of individuals, it belongs to the charitable phase, to the economic phase of life, and as I stated in the paper I wrote for you, we find out that one of the chief causes, I may say, of the need of charity has come from industrial actions. We find so many people not earning enough to keep themselves and families together, and as it is a battle against selfishness on the part of both, the one looking for more and the other to give less, it requires some arbiter in the question. That arbiter can scarcely be a voluntary association because they are not obliged to follow the decisions to be given, and we can find nobody else than the State to step in and settle this question. The state can do it only by legislation. I think that will cover the ground.

Q. Now Father in your experience as supervisor of Catholic charities in this diocese, you have investigated, have you not, what is considered a living wage for the woman who is not supported by anybody else in whole or in part? A. I can't say personally that I have, but I have read a good deal on the subject.

Q. You have studied the subject in that way? A. I take it from the several works that have been written on the subject, at the present time, on the subject of a minimum wage. I saw yesterday there were over two hundred books upon it whereas five years ago there wasn't one, and I found in recently trying to fix up this widow's pension that an association that has charge of that, has found that it will require a widow and three or four children at least \$45 a month from all sources to keep them. Now the minimum wage for a person to look after themselves would be eight or nine dollars. I know in Oregon they fix \$8.37. In the other states of the United States, of the six that have this minimum wage in use, I think four of them have fixed it at about nine dollars, less than nine dollars a week.

Q. In your examination Father you found that if less wage is paid to a woman than she is able to live on she has to depend upon charity for the balance in some form or another? A. Unless she is only a member of a family.

Q. If she has to be self-supporting or self-maintaining then in some form or another the balance has to be made up to her? A. If she lives up to the standard that she should live.

Q. If she does not she is apt to become sick and then she goes to a hospital and she has to be paid for that way? A. Yes, sir.

Q. And eventually it comes out of the people of the state directly or indirectly? A. Yes, sir; directly or indirectly.

Q. Now the claim was made here yesterday that if there was such legislation, one man said it would drive his business out of the state; what do you think about that? A. There is no doubt that any action summarily taken would effect those in business, but everything of that kind should go along gradually and carefully. I do not think it would be a proper thing to all at once upset the business of the city or the State.

Q. So you would be in favor of a minimum wage board who would regulate that in a business-like way? A. That is the point. We should have to follow the example of those who already have charge of this matter and learn from their experience. That is the best way, both in Australia and in the states here.

Mr. ELKUS: We thank you very much Father.

Dr. WALTER WEYL addressed the Commission:

By Mr. ELKUS:

Q. Doctor will you give your full name and your title? A. Doctor Walter E. Weyl.

Q. And what is your profession? A. I am an economist.

Q. You are an editor and also an author upon subjects of this kind? A. Yes, sir.

Q. Now doctor we will be very glad to hear you with reference to this subject from an economic standpoint? A. I have been studying this question more or less and it seems to me that on the basis of the statistics that have been gathered during the last ten years and especially in view of the statistics that have been presented by your own commission in its preliminary report that there can be no doubt that the wage paid to a very large proportion of women supposed to be self-supporting is far below the wage necessary to maintain a merely physical existence. I do not think we can escape from the absolute necessity of some minimum wage legislation, and the earlier such legislation can go into effect the better it will be, in my opinion, not only for the

workers but for the general community not excepting the employers.

Q. What do you think, from an economic standpoint, from the standpoint that it will injure business? A. When the minimum wage legislation was introduced into Victoria in 1896 it was bitterly contested at first and it was introduced only temporarily and for only four trades. The opposition came largely from manufacturers who thought that it would injure business, and who thought also that it would reduce employment. The bill was temporary and a series of investigations were made afterward with the result that the bill was not only passed over and over again, not only continued but at the request of employers, as well as of wage earners, it was extended to other trades. As a matter of fact it passed successfully through periods of depression and of good trade. It increased employment, it raised wages, and at the same time it had absolutely no bad effect on business in the community. I do not think that a rise in wages would involve any harm to the manufacturers at all.

Q. Would it harm the employees; it was claimed here yesterday by one employer at least that a forced minimum wage would not injure the employer at all but he objected to it on the ground that it would injure the employee? A. It might in individual cases injure one man or another. As employment is carried on to-day there are a certain number of inefficient people taking the place of efficient people owing to the fact that they are willing to work for lower wages. Now with a minimum wage law there would be a certain readjustment and I think it is highly probable that a certain number of inefficient people would be thrown out and their places taken by efficient people, but that is exactly the same thing that takes place when the trade union introduces a minimum wage. People who are incapable of earning that wage are thrown out and their places are taken by more efficient people generally who can earn the wage. I think we are likely to keep our eyes entirely upon the inefficient people who may be thrown out of a position and not consider the efficient people who are now without work and not consider the very broad effect of low wages upon the whole industry.

By the CHAIRMAN:

Q. Do you think that giving an individual more salary is apt to increase that individual's efficiency especially if it is from a very low wage, hardly enough to exist to a wage which is a living wage? A. Governor, I think that will depend upon cases. If you raise wages from six to nine dollars you will find that a number of people who were inefficient at six will become efficient at nine and you will find a number who will not become efficient under any premise.

By Mr. ELKUS:

Q. Why do you think those would be efficient who go from six to nine because their wages are increased? A. Because an increase of wages normally means an increase in the amount of food which a girl eats, perhaps better lodgings and certainly a decrease in worry, and when anybody is worried and anxious as to the manner in which she shall make both ends meet she is absolutely incapable of any efficient work.

By the CHAIRMAN:

Q. I ask you that question because in the course of our hearings up-state two years ago one of the manufacturers came before us from the city of Utica who worked the women and minors employed by him at a less number of hours per week than any other manufacturer in that vicinity, less even than the hours permitted at that time by law, and also gave them a noon day meal at cost, and yet he told us he did not do it as a philanthropist but merely as a financial proposition; he found he got more efficiency from his employees by treating them better, and in the shorter hours they did more work and did it more efficiently than those in other factories who were working at a greater number of hours? A. Governor, that is a very interesting example of what is commonly believed to be a general rule in economics, and that is what is called the economy of high wages and the economy of short hours. It has been proved over and over again that industries which pay high wages in one country are more than able to compete, as you know, with industries paying much lower wages. It has been proved, of course, when hours are reduced that the efficiency of the workman increases and I think your illustration

from Utica is exactly in point. I believe this, that if a minimum wage law were passed in this State and if it were enforced by a commission which had a proper regard for the interests of both sides, that the employers would not under any circumstances permit it to be repealed.

By Mr. ELKUS:

Q. I have been asked by Mr. Bloomingdale to ask you this question: In your study of the wage problem which has led you to the conclusion that many workers are underpaid, have you made any research into the question of efficiency, and do you think that if workers are made more efficient by vocational training or otherwise that increased wages would come as a natural result? A. I think that is a very important point that Mr. Bloomingdale raises. I think that it is only fair to say that the minimum wage is absolutely essential at this present time and that other things, such as industrial education, vocational guidance, better custodial care of indigents, are necessary, but you cannot begin industrial education until you have solved the bread and butter problem. If this question had been raised by Mr. Bloomingdale thirty years ago, before we had this terrible pressure of low wages, I should have advised vocational guidance and industrial education first, but it does absolutely no good to send a girl of eighteen to a school where she will get additional education if she is living on six dollars a week. I should like to say that I read last night the tentative report of this commission, and I knew that wages were low, and I analyzed the figures that you have presented admirably, I think — you have presented them in the most admirable form and they were considerably lower than I had any conception of. Apparently the median wage is about seven dollars — the average wage is about seven dollars a week in the department stores, including, of course, the best, and including some of the smaller and lower wage stores up the State. It seems to me that the wages shown even for New York city are absolutely derisory compared with what we know of the cost of living in this city. I would like to say this, that I do not think that that is the fault of the employers of these girls. If you do not have a minimum wage the question of fixing wages is not a matter which any single department store as a rule, unless it

has special advantages, can solve itself. It seems to me that one of the strongest arguments for the minimum wage is that it allows employers to do justice to their employees, whereas, at the present time it is utterly impossible, however good their intentions are, to do that justice.

By Commissioner DREIER:

Q. Then you think that competition in wages is a serious menace? A. Exactly.

Q. To the efficiency of the business or the success of the business even? A. It seems to me that that is one of the worst effects of it.

Q. Yesterday, it was claimed by an employer that was not the case, that it didn't matter whether their neighboring store paid less than they did for the week's work, that it did not have any material effect upon them, or would not have any material effect on them, and that competition in wages was not dangerous or injurious; do you think that reasoning is correct? A. No matter what they say there is no doubt about it that each one of the neighborhood stores, the small stores, does endeavor to reduce wages. It may not be the only element in competition but it is one of the most important elements in competition. Of course, to introduce a minimum wage does not mean to reduce competition. It simply means that instead of the competition being among the workers to work for the lowest sum possible it is to compete with regard to services for a definite wage. I would like to take an analogy which is not of course characteristic, but when we want a President of the United States we don't offer the job to a man who will take it cheapest, but theoretically we endeavor to get the best man for a fixed wage, and if you will analyze the fixed methods of big corporations and of government bodies, they themselves determine what is a fair wage. In the post office the job is not given to the man who will work for less, but the attempt is to get the best man for that particular job.

By Mr. ELKUS:

Q. You mean they fix a schedule of rates and then look for the best men to get? A. Exactly. The United States government does it, the Pennsylvania corporation does it, and to a certain

extent the department stores do it. In other words, the department stores, as was said yesterday, determine that nobody in the selling force should receive less than six dollars. There is no doubt they could get people cheaper, but in principle at least they have established a certain point below which they will not go, and I think very wisely. I do not think that that point is high enough.

Q. You mean it is wise from the economical standpoint for their own benefit? A. For their own benefit, exactly.

Q. Doctor, will you tell us your views or discuss this matter — if less than a living wage is paid to a woman who is unable to maintain herself upon it, who has to bear the balance of her living expense? A. In the first place she bears the expense in reduced health and even in reduced morale. In the second place the employer pays in greatly reduced efficiency. In the third place her family, the whole working class to which she belongs, pay as a result of an unfair competition, and finally society pays through its almshouse — you know the whole thing.

Q. Private or public charity? A. Finally, I think heredity pays, the nation pays.

Q. Heredity? A. Yes, sir; in other words, to pay a girl what is below a living wage is like running a thoroughbred horse without shoes — in order to economize a few dollars at one end of the line we incur a cost that runs up to hundreds and thousands.

Q. Yesterday, one of the business men who was here said that he thought this question of wages should be left as a commercial matter to be regulated by the law of supply and demand. What do you say about that, Doctor? A. We have been doing it for 100 years, and I think the result as indicated by your own report shows how utterly inadequate it is. The fact is this, that if you allow people to compete according to the law of supply and demand you put the efficient person against the inefficient and give the inefficient the strong favorable handicap of willingness to work for less wages; in other words, if there is a person who can do ten dollars' worth of work a week we absolutely exclude that person and allow a person to work who can only produce five dollars a week because she is willing to work for five dollars less. It seems to me, Mr. Elkus, our whole social progress not only in

the United States, but in England, France and Belgium, and all of the other countries during the last fifty years, to say the least, has been obtained by limiting and regulating the law of supply and demand.

Q. Doctor, have you considered the payment of less than a living wage to women in relation to vice or immorality? A. I do not pretend to be able to say how great that effect would be. I think the effect of low wages on vice has perhaps in some quarters been exaggerated. I do not believe that has a very direct relation. I think there is no doubt that a number of women are driven into prostitution, not so much by the direct effect of poverty as by the indirect effect. I do not think the question comes up to the girl, "Shall I sell myself in order to earn more than my six dollars wage," but I do think this, that the absence of amusement, the poorness and barrenness and ugliness of life, the worry and all that sort of thing, combined with unemployment, does tend powerfully in that direction.

By Commissioner DREIER:

Q. Yesterday, some of those low wages were justified on the ground that girls lived at home in such large numbers, and that, therefore, they were partially supported by members of the family; what is your judgment on that assertion? A. It seems to me that if you merely shift the burden to the family of the girl that you are not improving conditions very much. While I think the department store managers have been animated by the very best feeling in limiting their employment largely to girls who have families, still the effect upon the other girls is made even worse. If you lessen the number of jobs which a self-supporting girl can possibly obtain you naturally limit her wages, and I think that this plan is nothing but a shifting of the burden from the present employer to other employers. I can see no advantage in saying let us exclude the girl who needs the money, let us exclude the girl who requires her wage.

Q. I want to know whether you have considered what law would be desirable in the way of a minimum wage law for this State? A. I have not studied that question in detail. It seems to me that a law establishing a board with power to study the question in the particular trades and to enact regulations in particular trades

would be valuable, but I think that there should be some penalty attached. I do not think that we should do what has been done in Massachusetts, leave it entirely to public opinion, because I think you will find that when a law of this kind is passed — let us take the department stores. I think that you will find that the big department stores will immediately obey it, and they, of course, would be the ones most subject to publicity. I think the main trouble in the administration would be in the very small stores and upon them mere publicity will have very little effect.

Q. Do you think that a minimum wage law would lessen the possibility of organization in the trade? A. It would naturally increase the possibility of organization. Organization of employees, like any other independent activity, depends upon getting some sort of confidence, and that confidence requires a definite wage. The trade unions have discovered that the underpaid workers cannot organize, and I think the result would undoubtedly be an increase instead of a decrease in organization.

By Mr. ELKUS:

Q. Doctor, for the record, I would like you to state some of the books you have written on this subject, and what editorial positions you hold? A. I am the author of "Labor Conditions in Mexico," issued by the Department of Labor; "Labor Conditions in Porto Rico," issued by the same department; "Railway Labor in Europe," "The Entrance to a Trade," and three or four monographs for the Department of Labor, now the Bureau of Labor Statistics. I am also the author of "The New Democracy," and also the author of "Passenger Traffic of Railways," and I have written many articles on the subject of labor for magazines. I am at present one of the editors of "The New Republic."

By the CHAIRMAN:

Q. You have made a study of other statistics gathered by either commissions or officials outside of those covered by the Factory Commission? A. Yes.

Q. Have you found any of the others as complete as those we gathered? A. I should like to say that this statistical report is the best presentation of statistics of wages that I have seen for a very long time, and the data seems to have been collected with

great care and analyzed beautifully. I have the misfortune to be a statistician and usually one confined to a lot of statistical material which is gathered sufficiently well but is absolutely killed in the presentation. In your report it is clear and one can very easily follow the average wages or the median wages for any particular group, either by age or by the particular nature of the work, and so on, and I was delighted to find that you used the classified wages right through instead of the average wages or bulking them, or both. I thought the work was done beautifully.

Prof. EDWIN R. A. SELIGMAN addressed the Commission.

By Mr. ELKUS:

Q. You are professor in Columbia University and hold what chair? A. The MacVickar chair of economics.

Q. Now, Professor, the Commission is getting views of those interested and who are competent to speak upon what is known as the minimum wage question, which is a pretty broad question, and we would be very glad to have you give us your views upon the subject, and then after you are through, if we may, the Commission would like to ask you some questions? A. Mr. Chairman, and gentlemen, the problem, as you say, is of course a very complicated and a difficult one, and as is the case with all such problems the further that you go into it the more the difficulties appear. The chief points, it seems to me, sir, are the ones that have been brought out in the various investigations in this country and in Australasia and in England, both as to the needs for such legislation, and then more especially in Australasia and England as to the results of such legislation. The scientific aspect of the problem, the difficulty with it is that with the exception of Australasia, the system has been in operation for so short a time as not yet to permit of scientifically tested conclusions, and with the one exception, perhaps, of the study that has been made by Mr. Tawney in England in one of the industries, we are reduced either to the conclusions as formulated by the government commissions themselves, which we must always somewhat discount, or to the general economic theory that is proclaimed by such students, for instance, as the Webbs and others. When I say we must somewhat discount the reports of the officials and commis-

sions, I do not wish to be understood as implying any kind of discourtesy towards or disbelief in the commissions, but simply to call attention to the fact that as these commissions are obliged to administer the law and to maintain the law, when there is any doubt they are apt to give the law the benefit of the doubt. With that general introduction I would say that the reason why most economists I think are to-day favorably predisposed in general to the principle is the fact that when you deal with wages in the actual conditions of industrial life you have far more than the static conditions which have generally been the basis of the theories of the economists, and that you may have conditions of inequality through inequality of bargaining or inequality of other kinds which prevent the normal result of the working out of law of wages. You may have abnormal conditions, not normal conditions, abnormal to certain situations in the market, and as I take it the whole theory of the minimum wage is concerned with an attempt to reduce as far as possible the scope of the abnormal conditions. Now, you have, I take it, very much the same situation which presented itself to the economists and Legislatures when dealing with factory legislation. Factory legislation was also advocated by its enthusiastic supporters and somewhat extravagant claims were at one time made by the supporters. On the other hand, factory legislation a century ago and for a long time after that was just as energetically opposed by the employers and by some of the economists and similarly extreme claims were made. Now, after half a century, or a century in some cases, we are in position to judge a little more adequately of the actual results, and we see that neither side was correct in its anticipation and diagnosis, and that it has not been the panacea that some people supposed it would be, but that on the other hand it did not have those deleterious, those injurious results which were proclaimed by others.

Now I imagine that very much the same thing is going to take place in this question of the minimum wage. It is not a solution of the wage problem. It is not going to solve our problem by any means. It is going to be to a certain extent, I think, if carefully handled and intelligently devised, a help. If unintelligently handled and not carefully administered it may prove a drag to industry.

Q. Isn't that true, Professor, of every law? A. No; there are some laws which are themselves so bad that an intelligent administration would make them worse. What I mean to say is, if you can devise the proper machinery for the minimum wage, and if you use methods which will conscientiously or discernedly put the manufacturers and the industries in any one place at no disadvantage with those in some other place, in the same state at all events, why then there is a chance of good results ensuing. Secondly, I wish to point out that the problem is largely the problem of efficiency. It is often claimed by the manufacturer that the result of the minimum wage will be to render impossible the continued employment of the inefficient. That has both a good side and a bad side. I think there is a good deal of truth in that. The good side is that if you have more efficiency you are going to have more social benefits. The other good side of it is that if you weed out the inefficient from the efficient, separate the unemployable from the employable, we have more clearly presented to us the problem of the employable and the efficient and we can proceed to take up that question.

Thirdly, the argument of the expense of a carefully devised minimum wage law necessarily falling upon the consumer is to the extent that the argument is an unsound argument — and it is only partially unsound — is to that extent met by this very argument of efficiency. If you increase efficiency you will decrease costs. The argument of high wages which has been accepted by all economists, and I think it is the basis of the whole theory, of our industrial life, is as true of wages as of anything else. High wages does not necessarily mean high cost. High wages may mean low cost. The highest wages are paid in those products in this country where the products are least expensive, the dollar watch and things of that kind. Now if the minimum wage can be shown to be due to increased efficiency, and that is a question of fact which must be very carefully gone into, it does not necessarily follow that the community is going to suffer to the extent that the argument is true that the burden of the minimum wage will fall upon the consumer. That, also, is not necessarily an argument against it, because anything that increases the cost of business, providing it is a socially desirable cost, ought to be paid for by the com-

munity at large. It is the same problem as that which confronts us with insurance, labor insurance or fire insurance or any other kind of insurance, which rests upon the employer. So far as it increases the cost of operation and thereby becomes a charge upon the business it is shifted to the community at large and very properly so. It is a question of social responsibility for social conditions.

Finally, I would say that in considering the problem you have got to consider very carefully two other phases of it. The one is the point that I think is met in pretty much all of the minimum wage laws in this country, that it cannot be a rigid, hard and fast law, that there are certain classes to which the law can not be made to apply, where exceptions must come in — not the inefficient young people, but the inefficient mature people whose inefficiency is due to age or physical infirmity. That, of course, goes without saying, that that must be provided for, and that there you have another case of a social responsibility for such conditions. Another point is that when you are dealing with the problem of the minimum wage, especially in a State like New York, and in a metropolis like New York, you must consider things which are largely unnecessary to consider in small states, and that is that you have a State law and yet you have very varying local conditions — a minimum in New York city may be an entirely different minimum from a minimum in Syracuse, or from a minimum in Glens Falls, and at the same time you can not have a law which would put industry in one city at the mercy of the competition of industry in other cities. It seems to me that we have to go much further in the direction of differentiation in the case of a minimum wage in a State like New York than you do in almost any other State in the Union. That is why I maintain that a law which is to be applicable to our conditions has got to be much more carefully devised and thought out than a law, let us say, that is perfectly serviceable in New South Wales or Tasmania, or elsewhere. To conclude, I should say that in my opinion the best investigation that has been made of this whole subject is contained in a little book of Tawney, who has gone into the results of the six months' or year's administration of the English act, in which the Commission no doubt knows in his concluding chapter he sums

up one by one the arguments that have been advanced for and against, and seeks to point out the actual results, both upon labor unions, upon efficiency, upon costs, prices, etc.

Q. Have you, Professor, ever seen the reports of this Commission A. I have, sir.

Q. Have you seen the advance sheets of the report on wage statistics? A. The one that has been published within the last few weeks, you mean?

Q. It has not been published, but a number of advance copies in proof form have been submitted? A. I have not seen that; I have heard of it, but I have not had a chance to look through it.

Q. What I referred to is this — A. No; I have not looked through that yet.

Q. I was going to ask you whether you found those statistics which we have gathered there in such form as they would serve as the basis of any opinion that you might want to give? A. Not having looked through it yet I should be unable to answer that question except to express my general opinion from what I know of the commission and of the people who have been doing the work that in all probability the statistics would be entirely creditable and valuable.

Q. The Commission would be very glad if after you have had an opportunity to examine them, if you desire to give us any further views you will do so in writing at your convenience, so that they can be added to your testimony.

By Commissioner DREIER:

Q. It has been suggested that it might be desirable to have a minimum wage law for only minors; what is your judgment on that? A. On the principle that half a loaf is better than no bread I should say that that might be acceptable, but in the legislation of this country and in the earlier legislation of all countries, almost from the very beginning women have been put on a par with minors because to a very large extent the same arguments have been thought to apply to each. Of course, personally, I do not believe much in that argument. Personally, I believe that if the minimum wage theory is applicable to minors it is applicable not alone to women, but also to men. We are not ready in this country, of course, for any such application of the scheme as is found everywhere else in the world, but the history of all such legisla-

tion shows that you begin with the one class and you gradually spread it to all of the workers, and therefore, I should say that while the application of the minimum wage law to minors would be desirable if you can not get anything more, that a carefully devised law ought to be as applicable to women certainly as to minors.

By Mr. ELKUS:

Q. I might say to you, Professor, for your information, when you examine this report that the information was gathered by an actual investigation of certain industries and particular establishments, and that in each case in order that there might not be an error the facts and figures gathered were submitted to the proprietors of the establishments and they were asked to make any corrections or point out any errors, so that those figures may be taken as absolutely accurate A. Of course there is one point — I did not know at all, sir, whether that has been met in this volume, but you will remember that in some of the investigations of similar commissions a difficulty arose from the fact that the returns were predicated only on the amount of wages and the hours which the employees were supposed to receive, and that sufficient attention was not called to the actual period.

Q. That point we actually investigated, the actual amount of time spent and the actual amount of wages received in each case, and the employee was followed through the period, and we distinguished rates from actual earnings.

By the CHAIRMAN:

Q. Professor, early in your testimony you made some reference to factory legislation and that it did not always accomplish the results claimed for it when advocated; you are acquainted, of course, with the legislation which this Commission advocated and which, as a result of its advocacy has been enacted into law; do you consider that legislation wise? A. Are you referring to the New York legislation or the general legislation of this country?

Q. I am speaking of the New York legislation and even to be more specific than that, to the legislation which was proposed by this Commission, that is about the only legislation which has been passed during the past four years? A. I think the labor legislation has been moderate and wise. When I spoke of the

previous legislation that was passed by Congress during the Civil War and which remained necessarily a dead letter, it was because there were a good many laws in advance of the economic possibilities, and, therefore, they did not amount to anything, but in New York State we have been going ahead piecemeal and it seems to me conservatively, and the results have been proportionately good.

By Commissioner DREIER:

Q. It was claimed yesterday by some of the manufacturers that the purchasing power of the dollar of the employees whose wage might be raised through a minimum wage law, would not be increased because of the increased cost of living; can you give us any light on that subject? A. If the increased cost of living were entirely independent of the change in the rate of wages it would not effect, of course, the employees of these establishments any more than it would affect anybody else. Insofar as the intimation or the implication is that the minimum wage would lead to increased cost, through a large price, and, therefore, that the employee would lose in prices what she or he would gain in their wages, that argument seems to be largely destitute of foundation, very obviously. First, for the reason that it has not yet been proved that the minimum wage would necessarily increase prices. In fact, we find in the one careful investigation that has been made that the increase of wages in this particular industry—that this increase of wages was divided among three parties, that it did lead to a partial increase in price, that it also lead to a somewhat, although not very marked, diminution in the profits of the employer of that particular industry, and, therefore, I would say that in so far as an increase of wages would under conceivable circumstances either lead to more efficiency by eliminating the inefficient or in so far as it might even conceivably, where competition was very close and under certain conditions, lead to a diminution of the profits of the employer it would not necessarily then be added to the cost of the consumers, therefore I should say that the argument that the employees loses on one hand what he or she gains on the other is not in anywise true.

Commissioner DREIER: Thank you very much.

Mr. ELKUS: Now, Mr. Chairman, there is a lady here who wants to say a word out of order in relation to one of the bills which was passed by the Legislature and which she thinks ought to be amended.

MRS. MARGARET KERR FIRTH addressed the Commission.

MRS. FIRTH: I do not need to go into details about this law; you are thoroughly acquainted with it. I think not one of you would for a moment call this gilded dome building across the way a factory building, I mean the Pulitzer building, yet the powers that be have seen fit to call women printers or men printers for that matter, factory workers. Now there are about 300 women printers in New York city. How many there are in New York State I don't know, but this law affects them materially. It frequently occurs that we are compelled to work a few hours overtime. Our New York ownership do not know when we are going to have to stay and if in accordance with the law they must not keep women overtime, they are not going to employ women because they have to have people that they can keep and they are not going to keep us any oftener than necessary because they have to pay us at the rate of time and a half for overtime, and they don't like to pay any extra wages, so we haven't found it any hardship, and I know in one office positively, that they will not employ women. That is a big type office. They have one or two there and they will take on no additional women for the reasons I stated. On the other hand the newspapers, some of them, have seen fit to bar us out in accordance with that law, and that means cutting us from the highest wages we can receive in our profession. We stand very little opportunity to get the day work in the newspapers, but at night some of us have situations and some of us have been barred from situations and those who are continuing to work at night are working under sufferance. We do not know when the final blow may fall and we may lose it. Now we are not in the ordinary factory class, we are above the six dollar a week people. It takes some degree of intelligence to get into our line of work in the first place and we are not young and no girl can hold a situation on a newspaper, no young girl, and our salary really lifts us out into the salaried class. It is nominally a wage but we find that the

extra wage we receive at night, most of us, who work at night, is a sufficient compensation for the night hours, and I personally prefer the night work, because it gives me an opportunity to do things in the day time that I like to do. Aside from this I want to pursue some study at the University and this will enable me to do that. We do not need to be meddled with. We simply want you to recognize that we are human beings capable of fighting our own battle, and not to be moved about as pawns upon the chess board. There is "big six" that has done more for us than the whole United States has done as far as that goes.

Q. Do you think the law prohibiting any work for women at night should be repealed? A. I am not asking for the repealing of that law in general but as applied to women printers.

Q. Will you tell us how that could be done? A. Couldn't that law be amended?

Q. You mean by exempting women printers? A. Yes.

Q. Any one else you think of ought to be exempted? A. If they want to be let them say so.

Q. Anybody who wants to be? A. Yes, I myself think that if this is carried to its ultimate end, there are women who scrub offices at night —

Mr. ELKUS: We have your idea and are much obliged.

MISS JOSEPHINE GOLDMARK addressed the Commission.

By Mr. ELKUS:

Q. Miss Goldmark will you give us your views about this question, and we will be very glad to hear you? A. Mr. Chairman and members of the Commission, I should like to begin by repeating a few words which I had with Mr. Gompers yesterday after he left the room, as he is unfortunately unable to be here to-day. Mr. Gompers as you will remember expressed some solicitude lest the legislation providing for minimum wages for women if adopted might lead to some disadvantage to the political status of women. He dwelt upon that question and asked several of the witnesses questions in regard to it. I said to Mr. Gompers, and I wish to repeat here for the record, that women who have this subject at heart must appreciate very much any such solicitude. I said to

Mr. Gompers that we who are suffragists are not afraid of legislation of this character; and I pointed out to him this one fact as an illustration: in the year 1911 the Legislature of California gave the women of that state the vote. It was the same legislature of 1911 that passed the eight hour law for women in that state employed in a wide range of occupations. There was nothing in their new political status as citizens detrimental to the special protection accorded to them as wage earners; nor was there anything in the special protection accorded to them as wage-earners which militated against their status as citizens. We know that every man as well as every woman has to submit to restrictions on his or her personal liberty just because they are members of society and citizens. We know that there are laws that restrict the hours of labor of men in private employment on the statute books to-day, many eight hour laws in private employment as well as in employment for the State. Such laws do not interfere with the political status of the men whom they protect; and similarly there does not seem to us to be any danger that this special legislation for women engaged in industry is going to interfere with their political status.

I too have had occasion to go over the various reports of this Commission in connection with the defense of the Oregon minimum wage law for women, recently argued before the Supreme court of the United States. I am glad to leave with you some copies of the brief presented in that case, in advance of the hearing that I understand Mr. Brandeis is to have before you later. I want to repeat what the previous speakers have said, to express very high appreciation of the work of the Commission embodied in their advance Fourth Report. I think it stands not only on a par but in many ways it leads the investigations made in this country and also in England and Australasia. One particular point of interest that emerges from this report is that it is not an isolated phenomena you are considering here. The subject of wages has been considered in state after state in our country and has been prominent since the Federal government started this line of investigation in 1911. It has been burned into the consciousness of our people, in state after state, that here is an intolerable situation when women are paid wages far below what

is necessary for their decent subsistence, however they may make up the balance. The question is: here are the facts and what are we going to do about them? Are we going to sit down and say that nothing can be done to remedy a state of affairs so deplorable? Doctor Weyl referred to what you will find set forth in this Oregon brief. Doctor Weyl refers to the experience of Victoria and showed that this is not a new or revolutionary suggestion which is being made, for a minimum wage commission with powers to establish subordinate boards in different industries. We have, to begin with, experience in one community now covering a period of over 18 years—surely not a short period for one of these experiments in social legislation—Dr. Weyl pointed out also how this experiment began in a smaller number of trades, only five, growing to 134 wage boards covering 134 trades in the year 1913. We have the experience of conservative England which studied and looked into the matter with great care before entering upon a similar experiment. No community I think has entered upon it without a feeling of hesitation such as is natural for any Commission to feel in proposing such a new line of legislation. The Australasians were most intelligently conscious that it was an experiment for years until they proved by actual experiment how the scheme was working out. England realized that it was experimental and started wage boards in only four trades; and after four years the value of the experience justified the inclusion of four additional trades.

Now among the many subjects that might be brought to your attention in regard to this proposed legislation what I want to dwell on is this: that this proposed wage commission, bringing employers and employees together in trades where they never have acted jointly before, above all things is valuable because it turns on the light. We know from all these investigations, including your own, that what exists is chaos in wages. It cannot be called by any other name. We heard yesterday from a number of manufacturers, we heard from the printing trades, we heard from organized labor in regard to the printing trades, the testimony of the great value accruing when employers and employees come together and discuss these subjects in their own particular trades. Now what are we asking? I speak for the

National Consumers' League which has been urging this legislation for a number of years. We ask this Commission to take the logical next step after all their investigation and propose such minimum wage legislation, wisely guarded as Professor Seligman pointed out, for this state, as an extension of the method of collective bargaining which has been proved successful when privately initiated.

Yesterday the secretary of the Retail Dry Goods Association said that some of the low wages in the dry goods trade had been brought to their attention because the Civic Federation chanced to look into their wage scales, and the lowness of some of the wages was brought to the attention of their members in a way it had never been brought before. Senator Wagner pointed out that conditions became known only because an outside party happened along by good luck, and had brought to their attention conditions never before known. The employers did not know what was being paid in their own establishments. Questions were asked yesterday time and time again, as to what wages are paid to different groups of girls and the answer of the employers was "I don't know." Now what is needed is exact knowledge. We want knowledge of what is going on in each individual trade. It was for lack of current knowledge as to wages and other conditions of employment that we have a situation arising such as disgraced New York a few years ago, when girls of 14 to 16 years of age were picketing the city and the police force of one of the richest cities of the world was fighting girl strikers on the streets of New York. Now it is to avoid such things that we ask you to provide a legitimate method of getting this information as to existing conditions; or are we to go on until really revolutionary methods are urged?

I am too well aware of the difficulties of sustaining this kind of legislation before the courts, to want to see anything enacted which might not be called reasonable. For instance in the state of Arkansas at this moment they are considering a most unreasonable law. We are opposed to the proposed Arkansas minimum wage law because it provides for a flat rate of wages, manifestly unreasonable. That is not what is proposed for New York. We do not ask this Commission to go on record as saying what is a

living wage for women. That we do not conceive to be the function or the duty laid upon you. But we ask you to establish a wage commission with subordinate wage boards composed of representatives of employers, employees and the general public, in the different trades. Employees serving on such boards can learn something of the difficulties of the manufacturers in their own occupations, and manufacturers on the other hand can get an absolutely new point of view as to their workers, not merely as units in their great systems, but as living people who have to eat and sleep and meet their physical and other needs of life, whether they are living with their families or supporting themselves alone.

Just a word as to the form of this legislation. Mention has been made here several times of the Massachusetts law and I would like to point out here as to what was said by some representatives of organized labor. I spent the winter of 1911 in Boston and was present at the hearings at the State house before the bill was passed. It was organized labor that stood back of that law, and it was Mr. John Golden, president of the Textile Workers who was on the first Minimum Wage Commission in Massachusetts. Now the undesirable feature of the Massachusetts law is in regard to the method of enforcement it provides. It is a misapprehension, this idea that the original Massachusetts minimum wage bill contemplated having the law enforced only by publicity. That was a mere compromise at the last moment put in by the enemies of the law, not the friends of the law.

If you will look at the act as it was originally drawn by the first Minimum Wage Commission you will see they provided regular penalties for violations. This other method was only accepted as a compromise. They did have other laws of the same recommendatory kind. Their Railway Commission, for instance, had had only advisory powers and could not enforce the penalties that other railways commissions did, but within the year or two the Railway Commission in Massachusetts has found it necessary to get specific penalties to make its orders enforceable, and it is quite possible that the Minimum Wage Commission will also have to get these penalties to make this law enforceable. Therefore it seems to us it would be a decided mistake to follow that law, although it is now in effect in the State of Massachusetts.

Q. What is your position with the National Consumers' League?

A. I am the Publication Secretary and Chairman of the Committee on Legislation and the legal defense of labor laws.

Q. For the record will you state what the National Consumers' League is? A. It is an organization devoted to improving the conditions of women and children in industry.

Q. It is a national organization? A. With ninety-five leagues spread in twenty States or more.

Q. Now, have you investigated, Miss Goldmark, yourself, so that you are able to say, both in the city and in the State of New York, what in your opinion is a sufficient sum for a woman who does not live at home, or rather has no outside support, but must be self-maintained, to live upon? A. I have not myself made such specific investigations. What I learn from those who have, and basing my opinion on my general information, I think it is not impossible that a woman might live on the \$9 wage suggested by the John Wanamaker Department store yesterday; but I think that is probably a low estimate for the necessities in a city of New York's size.

Q. How about outside the City of New York and in the State?

A. I think Dr. Seligman was entirely right in saying conditions should be differentiated for different localities as they have been in other states. The city of Portland requires a higher wage than in other portions of the State of Oregon.

Before leaving, I wonder if I might have the privilege of answering the speaker who preceded me from the bindery trades.

Q. Certainly, and I shall ask some more questions in regard to the minimum wage and you may go back to that; in case less than a living wage is paid to a woman employee and she has no outside means of support, who eventually must bear the burden of her support? A. There was an interesting point made yesterday by the President of the Retail Dry Goods Association who spoke of efficiency in living as well as efficiency in work. Now there is no doubt that a woman who is a capable manager can live better on a low wage than one who is incapable. That is only common sense. But to talk of the efficiency of living on a wage like \$6 a week; we know perfectly well that it means just the most intensive kind of scrimping on all sides. It is not efficiency in any true sense at all; and, therefore, it seems to me when you

ask on whom the burden of support is to fall it is a divided burden, that is, it is made up partly by the shattered health of the worker; partly by the father or family which has the unfair burden of supporting her; partly by the industries which pay that family and partly by society which in the end must pay in some way. If the underpaid worker has children in the future, if they are poorly nurtured and fall an easy prey to temptation and get into our juvenile courts, the community pays, and it pays in the necessary support of the hospitals and such other agencies. We have to pay in the end. It never can be escaped.

Q. The public has to pay in the end? A. Absolutely.

Q. Now, Miss Goldmark, have you considered the low wage less than a living wage with reference to vice conditions? A. I think there is absolutely no question of the undermining effect of such low wages, that it tends to put too severe a strain upon the moral strength of the individual. As another speaker has said, it may not lead deliberately to immoral living, because we have too high an opinion of working women to think that they turn readily to that. As investigator after investigator has shown, the wonder of it is how good they remain under temptation, but it is an unfair premium put on goodness.

By Commissioner DREIER:

Q. In the investigation in England and Australia regarding the minimum wage can you tell us whether the minimum has become the maximum? A. So far as I have been able to understand through the study of their reports and through correspondence with the officials charged there with enforcing the law, this preconceived notion is not true. If you take the reports of the Factory Investigator of Victoria and look at the minimum set in various trades from year to year and then take the other tables and see the actual wages paid you will find as matter of fact that the minimum is not the maximum because in trade after trade the maximum that the workers are getting is higher than the minimum set by the various 130 boards in existence. I would like to say just a word in answer to those gentlemen who have suggested a minimum be set for minors only. There was an occasion when child labor was stopped in glass factories and an effort was made to replace those young boys in the glass works by negro women be-

cause they would work for less than men would work. The effort was made in various states. It seems to me there is absolutely no question that if you had a minimum for minors they would be perfectly willing to replace minors by adults who would accept any wage under the stress of competition.

I should like to say just a word in answer to the request for exemption from the law limiting hours of labor for one particular trade such as the representative of the binderies presented here. This is closely connected with the question of the constitutionality of these laws. Unless you can prove that the classification of occupations or trades included in the laws is reasonable, and that classification is borne out by the facts, these laws cannot stand before the courts. The only exception in the various states that has been upheld as constitutional by the United States Supreme Court and other courts was the exception of perishable fruits and vegetables, because a case can be shown there, that at least some elasticity of hours is justifiable on the ground that the things do perish easily. Now unless it can be shown that there is an inherent reason like that there is no more reason for exempting one trade than for any other and any of the reasons given by the book binders for the exception of their trade is absolutely as true in other trades where they have learned to educate their customers that they cannot get things done at the last moment, or else regularize their trade so that they can do away with a great deal of over time and night work which is said to be necessary in this industry. The law now allows for overtime. The law does not prohibit work until after 10 o'clock at night, and before this Commission even seriously considers the matter of exempting any one trade they should bear in mind the disastrous effect this will have, not only to these few hundred women but to the thousands and hundreds of thousands in occupations like the laundries and canneries and any other amount of establishments where the 10 o'clock closing law now protects them.

Mr. N. I. STONE addressed the Commission:

By Mr. ELKUS:

Q. What is your profession? A. I am an economist and writer on economic subjects.

Q. With what official bodies have you been connected? A. Re-

cently connected with the dress and waist industry as the chief statistician of the New York wage scale board and prior to that I held a position as chief statistician of the United States tariff board.

Q. How long did you hold that position? A. During the life of the board. It was in existence for about three and one-half years.

Q. You have been a student of the minimum wage question? A. I have given some attention to it.

Q. We will be very glad to hear you about this matter. A. The report recently published by your Commission has served to confirm the impression that the students of the wage problem have had that there are thousands of wage-workers, particularly among women and children, who do not earn a living wage. As Dr. Weyl has said here to-day it has served to emphasize it and bring out the fact that the prevalence of that phenomena was greater than some of us were led to believe. From the last advance sheets of the report I noticed that in the case of the confectionery workers I believe fully 85 per cent. were earning less than \$8 a week, and if we are to assume that \$8 is a living minimum from some of the discussion that has preceded us, it would appear that 85 per cent. of the workers were getting less than a living wage. Now this situation exists among the women and children in industries where the skill required is not very great but can be easily acquired and sometimes it does not exist at all and can be acquired in a few days or hours, and that being the case, and adding to that the peculiar psychological features of the women employed in the industries, organization there, union organization, is very difficult, and so the women seem to be helpless in this particular respect. I see no other way out of this situation than legislation that would lift the competition among the workers to a level above the starvation line.

It has been stated here, it was stated yesterday by one of the employers, Mr. Frances, I believe, that it was not a matter that concerned society, and that the manufacturers and industry had better be left alone and let the commercialism of it work it out. If it was a matter between the manufacturers and the workers alone perhaps the argument would hold good, although even there

a certain sense of pity for the under dog might play some part, but it is not a matter that concerns industry alone. It is a matter that directly concerns society. The deficit between the four and a half dollar wage and the eight or nine dollars or whatever is necessary for the living wage must be made up in some way. Now, in some cases the worker simply starves and her efficiency is affected, and that is a matter that concerns the employer primarily, although even that concerns society because a lowering of the efficiency means a diminution of the wealth of society. It impoverishes society as a whole, not only the particular employe or employer.

Now not all of these women live with families and a great many of them who do simply have an additional burden of families to support rather than to be supported by them. Insofar as that exists society is frequently called upon directly to make up the difference in dollars and cents by charitable institutions, penal institutions which it is called upon to maintain, because some people are driven to crime and immorality because of the wages they receive, so that it affects in dollars and cents the taxpayer who has to contribute the funds out of which these have to be maintained.

Now there is one point I would like to draw attention to in this discussion of the Minimum Wage Law, that so far I have not seen brought out in the discussion that has preceded, and that is, what do we mean by a Minimum Wage Law? There are two kinds of wage minima. We have on one hand the wage minimum which every union establishes. Of course the union rate of wages is a minimum. The union never prevents the employer from rewarding the more efficient worker by paying him more than the union establishes. Some reference has been made to the protocol that exists in the garment trades. I have had several opportunities of looking into that working arrangement. There they have minimum wages. They are a peculiar minima. It is not a subsistence minimum such as we are discussing here to-day. Their minima were established as a result of the bargaining on the basis of what they think is a fair wage for the skill. Take for instance the protocol in the dress and waist industry. There are half a dozen minima from six to twenty-five dollars a week. A

clerk gets \$6 a week, finisher gets \$8, examiner \$10, joiner \$12, presser \$20, cutter \$25. Each one of these is specifically called a minimum wage. Now it stands to reason that it does not take or cost a draper any more to live than it does a finisher, yet a draper is awarded a \$14 minimum wage while a finisher is awarded only an \$8 minimum. Naturally the union would like to secure \$14 for all the members of its union, and if it did not it is clear that the reason for it was a recognition of the commercial value. There is commercialism, to which Mr. Frances referred yesterday, a recognition of the greater skill required before she can perform these duties. That is one sort of a minimum, and so far as I know the only legislation that has ever recognized a minimum of that sort is the New Zealand legislation, and to some extent the Coal Mining Industry Act which went into effect in 1912 in England. In New Zealand there is no minimum wage, so called. All they have is a General Arbitration Act and wage minima are determined as a part of the operation of the Arbitration Act. Now usually the boards are called upon to make determinations of what shall be a minimum wage in any particular industry as a result of a trade dispute between the workers on the one hand and the employers on the other as to what is a fair wage.

The CHAIRMAN: Has that determination the power of law?

Mr. STONE: It has. It is practically compulsory arbitration. That is what it amounts to. In England in 1912 when the great disturbance occurred in the coal mining industry and all England was on the point of breaking down as the result of the general shutting down of the mines, as a concession to the union, Parliament passed a special act which in a way supplemented the General Minimum Wage Act, but it is a specific act applying to the coal mining industry only, and that acts in about the same way as the Wage Scale Board acts here in the garment industry. That is to say, the employer and employees form a board with an impartial chairman selected by the members of the board or appointed by the Board of Trade, which corresponds to our Labor and Commerce Department, in other words, an impartial man, and they determine upon the wage, which is also binding. In that case they do not consider what is the minimum amount necessary to maintain a person, but what is a fair wage, and they are gov-

erned more by the average wage existing in the industry, and in fact the law made specific reference to that.

Q. How do they take up these questions of wage, only on complaint from the outside? A. Yes, it would be largely a matter of complaint from the outside.

Q. Then the Commission takes steps to increase wages upon its own initiative? A. In that particular case, this having arisen out of a dispute, the Commission was authorized to create boards in the various districts, and in every district the district boards are to proceed to fix the wages and the union is represented on that board directly.

Q. How about New Zealand, how do they take up such matters? A. As I said, the Arbitration Board in any particular case acts as a result of a dispute breaking out in a particular industry.

Q. They cannot take any action on their own initiative? A. No, and it is not a minimum wage in the sense Victoria initiated it. Now coming to that type of minimum wage, the one that originated in Victoria some twenty odd years ago, the example of which England followed when it passed its Minimum Wage Act in 1909, the very object of that was similar to what we see in this country to-day, and in our State just now — it was the object to come to the relief of the workers in the sweated industries. They were referred to by that name in the act. In other words it was the desire to come to the aid of the submerged half of the workers who could not help themselves, who could not be organized into unions, and for one reason or another were compelled to submit to the sweating operation or what the Massachusetts Commission has so well called the parasitic industries, industries which would not or cannot give a living wage, cannot furnish a living to the workers without whom they cannot exist. They are naturally parasitic in the sense that they exist at the expense of somebody else, whether it be the father of the family, as some of the persons asserted, but at any rate somebody is giving a subvention to that particular industry.

Now I take it it is this particular minimum wage the Commission has before it just now. We all proceed upon this consideration — especially as to the low wages presented in the reports of the Commission — of coming to the assistance of the workers who are

getting less than a minimum wage, and if that is kept clearly in mind perhaps there would not be that objection we find on the part of trades unionists, some of whom seem to join the employers in the opposition to the proposed enactment. There seems to be a fear on the part of some of the trade union leaders that the enactment of such a law would put the unions out of business. I do not see it that way, because in the first place it is meant to come to the assistance of workers whom the unions apparently have not been able to reach or to organize. The mere fact that these industries have been in existence for decades and the workers are still unorganized is the best indication that the Unions have not been able to reach them or to organize them. In the second place if these industries can be organized this law would not be in the way of any trade union that wished to undertake the task. All it undertakes to do is to say there shall be no employment below a living wage. The Union is perfectly free to try to secure larger wages for workers who have the necessary skill that will command higher wages. In the same way the same answer would apply to people who are sure this would do away with the law of supply and demand. It modifies in a way the play of the forces of supply and demand in so far as it lifts it to a level above the starvation line. It does not interfere with the working of the law of supply and demand and the value of the services of the workers above that. It simply draws the line below which it shall not go.

Q. Mr. Stone, have you come to any conclusion as to what percentage of women workers there are who receive less than a living wage now in this State? A. I have not, I am sorry to say.

Q. I want to know how large it would be in dollars and cents, if it could be calculated, if an increase was granted or a minimum wage was fixed to cover the sum between what they now receive and a minimum wage? A. I am sorry I cannot give you that.

By Commissioner HAMILTON:

Q. Is the minimum wage law in England partly based on piece work? A. No, virtually on week's work. The general Minimum Wage Law in England is similar to what we have in this country. It was established first for the purpose of aiding those in the sweated industries like buttons, chain making and other industries

of a like character, and the Board was afterwards given the power to extend that to other industries.

Q. About what is the minimum for workers in the garment industry? A. I couldn't say; I know the wages are considerably lower than they are here because the living is lower. We could not very well compare the wages without going into the question of the cost of living,— what the real wages are.

By Commissioner DREIER:

Q. It was claimed yesterday that training these people in trades would naturally tend to increase the wages and there would be no need for a Minimum Wage Law; what is your judgment on that? A. All things being equal I should say that the trained workers would get the preference and if there is not a sufficient supply of them they would command a premium, that is to say receive a higher wage, that is command a certain margin above the minimum, but here again the mere training of all the workers, giving them a higher degree of skill, would not necessarily of itself raise wages, because if you are going to train all the workers and in this way make the supply of trained workers just as plentiful as the supply of untrained workers again the law of competition would simply force down the level to which the hardest bargainer can force it down and compelling the rest of manufacturers to follow suit. I see no other way of putting a stop to that than by an act of the State that would put all the manufacturers on an equality and demand them to pay a living wage. As a matter of fact today, without a living wage, we are all the time told about the great evils that would follow the enactment of a minimum wage because of the rising of prices, etc. Today in almost any industry investigated you will discover there is no such thing as a uniform wage, with the possible exception of an industry that is absolutely governed by a trade union where the wages are under strict control. You find a great variety of wages. Two shops will exist side by side, one paying as much as 50 per cent. higher than another, and yet they both manage to exist side by side. Mr. Frances referred here yesterday to the fact that he has a closed shop. He stated that his wages had gone up 35 per cent. since the union had been given control over his shop, and that he has been able to increase his prices accordingly. Now we all know that

the typographical union does not control the entire industry, and that side by side with the closed shops there are open shops in which presumably lower wages are being paid, yet Mr. Frances can go on existing and charging higher prices than others without any State enacting regulating prices as he suggested yesterday. Now this statement that a minimum wage would lead to either two things, either the public would suffer on account of higher prices, as Mr. Graff suggested yesterday, or the employer would suffer unless the State protected him and gave him a minimum price, is worth considering.

Assuming that it is true that a minimum wage must lead to a higher cost and therefore a higher price the question is as to whether the public is more entitled to a minimum price and the manufacturer or employer to a minimum profit than the worker to a minimum wage. There seems to be objection to the worker being protected by a minimum wage and it was thought quite right to allow the employee to receive starvation wages, and yet there is an implication immediately that the manufacturer or employer ought to be protected in his existing profits, that the profits do not allow of any reduction, and if the employer is able to maintain that and they shift the burden upon the consumer again that the public is entitled to the minimum prices that it has. Now granting that this is so it is again a question of what is a more proper public policy, to protect the worker who is admittedly working below the starvation line or to protect the public against paying a moderate increase in price, or an employer in his minimum profits, but I certainly dissent from the proposition that an increase in the wages above the starvation limit would necessarily lead to an increase in the cost of production.

I can only endorse what has been said here by Dr. Weyl and Prof. Seligman. I could quote to you a great many examples, startling facts, that the investigations of the Tariff Board have shown. At the time the Commission of Congress was considering the question of putting news print paper on the free list a representative of one of the largest paper mills in this country stated to the Commission that the introduction of the eight-hour shift in the paper mills, as the result of an eight month's strike on the part of the union, resulted in an increase in their wages to the

extent of $33\frac{1}{3}$ per cent., that is to say the hours of labor used to be twelve and they were reduced to eight, while the weekly wage remained the same, so that the rate per hour went up to $33\frac{1}{3}$ per cent., and he immediately drew the conclusion there that the established cost of production went up 33 per cent., and now on top of that you are going to remove the duty and ruin the paper making industry. Soon after that the Tariff Board was established, and the first industry we took up was the paper making industry, and to our great surprise we found the very first year after the introduction of the eight-hour shift in place of the twelve-hour shift,—that is the paper mills ran 24 hours a day and they simply had to substitute three shifts for two shifts, that right after that where the wages went up 33 per cent. per hour the cost of production went down 10 per cent. at a time when the mills were in full working time, and as you know after you start up a mill after it has been idle for eight months it takes some time to work up the mill to its full speed and full efficiency.

Q. Do you think that was entirely due to that or was there the introduction of new machinery? A. No new machinery, no radical changes have occurred so far as machinery is concerned. I explain it largely through the increased personal efficiency of workers.

Q. Governor Wagner was asking that question yesterday? A. That is one of the reasons I brought up this point. I heard the chairman raise that question this morning. The chief worker, a paper machine tender, is of the greatest value to his employer when he stands with his arms folded and watches the machine working. It is when he is working very hard with the perspiration falling down his face that the mill is losing money on him. His chief business is to watch the machine. A very thin layer of paper in liquid condition reaches the machine and it is at that point where it is caught by the machine that the greatest watchfulness is required. A moment of relaxation or lack of attention on his part and it may come at an angle, get twisted, and before he knows it the machine is tearing the paper, tons of paper are being destroyed and all the workers are running up to the machine, the machine has to be stopped and the whole thing has to start over again.

Q. Were you here yesterday, Dr. Stone, when Mr. Bryne of the City Button Company testified? A. No, I was here only in the morning.

Q. He testified that in his employment if wages had to be raised up to what was conceded to be a living wage he would have to go out of business; what have you to say as to that, whether with higher wages there would be greater efficiency even in that trade? A. I don't know anything about that particular industry, but as a general proposition I am very skeptical when I hear the assertion of an industry having to go out of business because it has to pay a living wage. So far I have never come across an industry which was put out of business through the necessity of paying a living wage. I do not know of a single instance in industrial history.

By Commissioner HAMILTON:

Q. Did the paper manufacturers, do you know, maintain the same help they had before the shift? A. They did, and an entire explanation of that where the cost went down in spite of the reduction in hours, which was equivalent to an increase in wages per hour, is when the worker works 12 hours a day it is the last four hours that are very tiresome. After a man has been working eight hours he is apt to get tired. We know that by personal experience.

Q. And accidents will happen? A. Accidents will happen. After the change there was four hours less fatigue. That does not mean just one-third less fatigue. The twelfth hour is the worst and the eleventh the next worse and the last four hours are much more fatiguing than the preceding eight hours. Any efficiency engineer will tell you that. Any psychologist will tell you that. Now as a result of that change the worker not only got tired less but he rested four hours more. That should not be lost sight of. It is a difference of four hours but it is equivalent to 12 hours more to the worker in being less tired, and in the next place resting more, and the result was when he came to work next morning he was bright and able to watch the paper and there were less break-downs and the result was great reduction in the cost of production.

Now, I could cite many instances — ad libitum almost. I have a few here in my report to this Commission. It will be published

later. I shall not take the time to read it now, but there is one feature I want to point out and that is taking the commercialism of the thing. In the great competition that is going on today between different countries, it is not the Oriental country that pays the lowest wage that is ahead in the game. It is the most advanced country or the country that is paying the highest wages that will go ahead. Going back to the Tariff Board experience I will state but one more interesting example. When we took up the cotton investigation, of which I was in charge, we sent investigators to Europe to compare wages in Germany and England, but we were not satisfied with that and particularly the people from the South were very apprehensive over the great competition, both present and potential, especially the potential competition of Japanese cotton mills. There was talk about our losing some of the Chinese market to Japan, a fear that Japan would pretty soon come and swamp us, not only in China but at home. The Japanese it was said, gets 15 cents a day as against \$1.50 that the American weaver receives. Now I do not believe that \$1.50 is a wage to brag about for an American workman who has to maintain a family, but the fact was shown that it was ten times as high as that of the Japanese weaver. We got figures first hand from the books of Japanese concerns. He was getting 18 to 20 cents, which is almost as bad as the 15 cents. The fact was that in spite of the wage he got he was much more expensive to the manufacturer than the \$1.50 weaver, and we could still compete. Now to sum up, to show what it means, that high wages do not necessarily mean high cost of production, I wish to read a list of highly skilled and therefore the highest paid American labor, that Secretary Redfield sent to Congress. He read from a catalogue of American goods sold abroad in competition with England and Germany and other countries and the list was not very large and I will read it to you because it conveys a better impression than any argument that could be presented as to the possibilities of high wages. Here are some of the things that Secretary Redfield picked out at random from one of our export journals: iron mongery, fine tools, bicycles, sporting goods, lamps, razors, fire arms, carriage maker's supplies, sanitary goods, lighting systems, drygoods, men's furnishing goods, boots and shoes, corsets, hats, caps, textiles, clothing,

women's furnishings, office furniture, office devices, stationery, typewriters, filing cabinets, printer's supplies, paper machine tools, boilers, lubricants, electrical material, valves, wood working machinery, belting, shafting, pulleys, furniture, kitchen ware and agricultural implements. Now it goes without saying that this list could be amplified further. I believe I can leave the subject simply with this general remark that low wages are not equivalent to low costs, that the experience of practical business men with the broad outlook, who have had opportunity to look into things, from their own counting room and their own payroll as well as the teachings of economists and of history confirm this fact — the economy of high wages.

By Mr. ELKUS:

Q. I have been asked by Dr. Leach to ask you these questions: Would not a minimum wage tend to standardize the product, the standardization being one of the greatest factors in its production. In this way would not cut-throat competition be curtailed to a certain extent and after adjustment result in permanent benefit to the employer? A. It might have that tendency.

Q. Would not the minimum wage be a strong demarcation between the employer and the unemployed? A. It would undoubtedly do that.

(At this point, the hour of one o'clock having arrived, the Commission took a recess until 2 P. M.)

Professor HENRY R. SEAGER, addressed the Commission:

By Mr. ELKUS:

Q. Professor, so that we may have it on the record, will you give your full name and details? A. Professor Henry R. Seager, Columbia University, President of the American Association for Labor Legislation.

Q. You are professor of what? A. Political economy.

Q. Now Professor Seager, the Commission as you know is now considering what is broadly called the Minimum Wage question and we would be very glad to have your views upon this matter? A. Mr. Chairman, and members of the Commission, Mr. Elkus, I am in favor of the proposition of creating machinery to establish

minimum wages that will have the binding force of law. This plan as you all know was first introduced in Victoria some twenty years ago. A recent report which has come out on the subject seems to show convincingly that the plan there has been successful and that the objections that are commonly urged against it are not valid. In practice it does not work out in the way it is represented. Indirect evidence of that fact is its extension in Victoria until now it covers a substantial majority of the workers in manufacturing industries, not merely sweated industries but other industries. One of the objections most commonly urged is the danger that the minimum wages established may develop into the usual wages. An investigation of that aspect was made in Victoria in 1902 which showed that that result did not follow. For example, in the clothing industry, a minimum wage for men at that time was \$11.25 a week, whereas the actual average wage paid was \$13.25 a week, showing conclusively that the range of wages was as great as without any minimum wage regulation and that the minimum was merely the minimum and not at all the usual and normal wage. For women in the same grade the minimum provided by the wage law was thirty-six shillings a week, that is \$9 a week. The average was \$10.50 a week, showing again that the range of wages was very much as it would have been if there had been no minimum, and that the minimum was really the minimum and not the usual wage. That I believe was true of wages in other industries.

It is certainly true that wage earners in that country support the system and it is not likely that they would if the result that is feared by some labor leaders in this country actually followed. The operation of the law in Victoria, as you know, was exhaustively studied before the Minimum Wage Law of 1909 was adopted by the British Parliament. I have tried to follow as well as we could from the outside the operation of the British law, and am convinced that it is proven successful, as is indicated by the fact that no one so far as I know, of importance, advocates a repeal of the law and the Board of Trade which is administering it has extended it to four additional trades, additional to the four trades to which it applied at the outset.

The operation of the system in this country has been so recent

that I would not urge that any very important conclusion could be based on our experience, but so far as it goes I submit that even our experience justifies the belief that the system will prove advantageous.

The effects that seem to me to follow a minimum wage system are first of all the standardization of wages and hours in industries which are now in a chaotic condition. I do not mean by that that the minimum will become the usual wage but merely that the exploitation of workers that now occurs because the worker is ignorant and a bad bargainer would be stopped. Second, and quite as important, would be the education of the public as to the actual industrial conditions in the industries affected and the development of a more enlightened attitude on the whole labor problem. Already it is perfectly clear that that result follows inevitably the adoption of a system of wage boards. In the States that have this system, Massachusetts, Minnesota and Wisconsin, the light has been turned on. I do not mean Wisconsin, I mean Oregon, and the public is aroused as to the evils of low wages as it has not been before. The situation cannot be ignored any longer. These boards give official and convincing evidence of the fact that hundreds have been receiving wages on which they could not live, and that is a great stimulus to all measures intended to improve the condition of wage earners. It is helping along the whole program of ameliorative legislation for the benefit of wage earners.

The third result that I think has followed is better relations between employers and employees. The machinery I had in mind would put the burden of deciding what wages should be prescribed on a wage board made up of representatives of employers and employees and perhaps of the public. Bringing employers and employees together to consider that problem is a long step in my judgment toward better relations, better understanding. The representatives of employees will appreciate more clearly what the employer is confronted with and the employer will appreciate more clearly what low wages mean to the employee, and in my judgment the experience of Victoria justifies the view that in the long run this measure will make for industrial peace. Moreover, it means that the more high-minded employer will stand behind

the machinery after it is created to insist on the efficient enforcement of the wage law and help along the enforcement of labor legislation all along the line. That is the tendency in connection with our regulations, but I think it will be more the tendency in connection with wage regulations than at any other point, that the employer cannot permit a continuance of the situation where he is required to pay living wages to his employees and other employers because they do not obey the law do not pay those wages. That would have employers lined up behind the enforcement of our Labor Law as we have not had in the past.

That is my chief reason for being optimistic as to the enforcement of this kind of legislation. We would have it backed by the best opinion of the more influential class of employers. They would be even more interested than anybody else in making it impossible for the exploiting type of employer to continue his exploitation of the workers.

I have said that I had in mind a plan by which the determination of wages in different industries should be through a wage board. That is substantially the English system and the Victorian system. I think that under our conditions, partly for constitutional reasons, the organization of these wage boards and the giving of legal force to their determinations ought to be through a State commission that would have general supervision over the whole system and would decide in what industries it was desirable that wage boards be organized. That is the system that appeals to my judgment, the Massachusetts system, with the addition of power to make legally binding the wage determinations approved by the Commission, which is absent from the Massachusetts law.

That aspect that has received much attention is whether the law should apply to men as well as to women and children. In my opinion there is no good economic reason why it should not apply to men. So far as the economic argument is concerned it ought to apply to men. At the same time I am impressed with the great danger that if it did apply to men, as our Constitution is now interpreted, the measure might be declared unconstitutional. Therefore, I should favor under the present Constitution a law at the outset limited to wages of women and children, with the expectation and hope that in time it will be extended to men,

and that public opinion, including the opinion of judges, would justify that extension after we had experience of its operation and effect.

By Commissioner DREIER:

Q. You do believe much more in wage boards established through a wage commission than only in a commission; could you enlarge upon that? A. I believe in the wage boards chiefly because I think it is vital to the success of such a system that public opinion be behind it and particularly public opinion in the industry affected. If the determination is through a State commission I fear the result would be opposition in the industry or the feeling that it was being imposed upon the industry from the outside, whereas if it was put up to the wage board representing the industry it would then seem to come from the industry itself and would have the support of those in the industry and therefore be more likely to be enforced and developed in a way that would harmonize with the best interests of the industry. On the other hand, I think supervision by a commission is necessary to make certain that the wages actually adopted will harmonize in different industries, and also as I mentioned constitutionally, I imagine that the measure would have a better chance if a State commission were the authority that gave binding force to the determination than if that was through a local board.

By Commissioner HAMILTON:

Q. Is it your idea, Professor, that there be several boards, one for each industry? A. One for each industry or important branch of the industry. My idea is just a sort of a development that has followed in Victoria. I believe now they have 104 different boards for different industries there. In England it started out with four and now they have in process of organization eight. In the coal industry where the system was developed on the basis of independent legislation my impression is that they have thirteen districts for that industry with boards. Just how many boards there should be and just how they should be related to the different industries would be a matter that could be best determined by the Commission by a study of the conditions in different industries.

By Mr. ELKUS:

Q. Is there any economic objection to a minimum wage board with power to fix a minimum wage? A. I can see no objection. It is often argued that you cannot fix wages by law. It is obvious that you cannot fix the wages of a particular employee by law and compel a particular employer to pay that employee those wages. That would be an evasion of liberty that nobody would approve. You can, however, I believe, fix minimum wages by law leaving it to employers to decide whether they could afford to pay those wages to their employees. The result, if the minimum is made here, would be a culling out of the less efficient workers. How serious that would prove, how many workers would be discharged from employment in consequence, would depend on the minimum fixed. In my judgment that aspect presents a ground for being conservative in fixing the minimum. I noticed that yesterday one of your witnesses, it was stated in the papers, advocated a \$12 minimum for experienced women workers. In my judgment that would be much too high to be adjusted to New York conditions. I should favor a minimum somewhere between \$8 and \$9 for experienced women workers in New York city.

In Boston, in the brush making industry, the minimum fixed works out \$7.75 a week, lower than the finding of the Commission itself indicated was called for by a living wage, but at the outset I think it would be desirable to err on the side of a little too low a minimum rather than a little too high a minimum. After we get it started it may be possible to put up the minimum but we can not expect in a city where perhaps \$6 a wage is the common wage of a woman worker, we can not expect to jack that up to \$12 without causing a serious disturbance to our industries, and I do not think we ought to try.

Mr. ELKUS: Thank you very much, professor.

Dr. EDWARD T. DEVINE addressed the Commission:

By Mr. ELKUS:

Q. Will you give your full name? A. Edward T. Devine.

Q. You are professor of what in the school of philanthropy?
A. Director of the School of Philanthropy.

Q. Of Columbia University? A. No, I am director of the School of Philanthropy and Professor of Social Economy in Columbia University.

Q. I know you have given a good deal of time to the subject we are discussing and we would be very glad to have your views on this whole matter? A. I have had a general academic interest in this subject for a long time. My attention was called to it in a practical way by an interview I had with a prominent official in the English Board of Trade responsible for the administration of the minimum wage law in England, and he gave me a good deal of information as to the early operation of the law with reference to the four trades to which it first applied. If the Commission is interested in my repeating one of these details I shall be glad to report the conversation as I remember it.

Q. Yes? A. It was applied first of all —

The CHAIRMAN: Who was this conversation with?

Dr. DEVINE: It was with a prominent official in the Board of Trade responsible for administering this law — I am not sure of his name. I think it was Mr. Rodgers. He is a man who is continuously giving personal attention to this particular thing in the office of the Board of Trade. The first application of the law was to the women chain makers, women making heavy iron chains. They were being paid according to the information obtained by a local board appointed to investigate the matter, something like two and one-half cents an hour which would amount to twenty-five cents for a ten-hour day. They established a minimum wage of just double that amount, that is two pence half penny an hour, five cents an hour, by which a person working a ten-hour day would make fifty cents. That seems to us like a small wage but it was just twice what those women were earning at that time. The inspector of the board who was on the ground and responsible for putting this law into operation was a woman who had rather an exceptional genius for taking an interest in the personal problem of people socially, who really took a personal, friendly interest in the way in which it was worked out, and she was able to give some very good advice to individuals affected by it, so that the rather extraordinary results that were

obtained in that district were probably due in part to her good management, as well as to the increase which the women earned. At any rate the testimony was that this change from a twenty-five cent day to a fifty cent day did make the difference between starvation practically or burdensomeness, because some of them of course were being supported by others, and something like economic independence, and the change was really a revolutionary one and the extraordinary thing about it was that there were almost no complaints either from the employers or from the people who bought the chains. Some attempt was made to find out both from the point of view of the employers and the point of view of the people who bought their goods whether or not there was any ground for complaint on account of the increased wages paid and the uniform testimony of all of them was that there was not, and the explanation seemed to be that the women being better nourished and better fed because of their increased wages were able to produce a better article and the manufacturers were able to charge higher prices for it, and everybody was satisfied.

Q. Were those who had been engaged at twenty-five cents a day discharged and others taken in their places? A. No, the same women were paid on the fifty-cent basis.

Q. One of the points made against the minimum wage here was that the less efficient would lose their places and others would take them? A. As I say, this was not a very large number of people, it was a few hundred altogether.

Q. It served as an illustration? A. It served as an illustration, and I may say I am not sure but that some of the result was due to the fact that the people moved into better quarters and their health was better and the whole organization was better, partly as the result of the personal efforts of this inspector and that they had more wages. At any rate in that particular instance there was no complaint from any quarter and everybody concerned in the operation of the law was benefitted. It was applied next to the machine lathe makers in the neighborhood of Nottingham with result that was similar, although a larger number were involved, and so far as I could learn at the time there was practically no complaint there. It was then applied to paper

box manufacturers where the problem was much more complicated because those factories were located partly in towns and partly in the country and there were some difficulties in connection with the administration of the law there. The people in the country factories for instance, asked to have a lower wage than the factories in the towns on the ground that living conditions were somewhat cheaper there and that people could live on less and that therefore they ought to be able to pay somewhat less wages. The board made a careful inquiry into the request and decided not to grant it and established a uniform rate for those industries throughout the country because they found there were some offsets to this and it was not a perfectly clear case, or at any rate the difference was not very great and they would not be justified in making any difference.

They applied next to the tailoring trade and there the experience at the time when I had this interview was so brief that they did not feel like saying anything particularly about it. It was interesting because there they established a different rate for men than that for women, six pence an hour for men and half that for women, but I have no information as to how it works out.

By Mr. ELKUS:

Q. Doctor may I ask you a question? A. Yes.

Q. You besides being the director of the school of philanthropy and Professor of Sociology in Columbia University have been associated with organized charity in this city for a good many years have you not? A. Yes.

Q. And you have studied charitable problems from an economic standpoint; assuming that a woman is paid less than a living wage upon whom does the burden fall of making up for her living expenses eventually? A. It may fall upon other members of the family.

Q. Assume that she has none, that she must be self-maintaining? A. I am afraid to a large extent it falls upon herself.

Q. That is directly? A. Her health breaks down and she has to pay the penalty in a very direct way. Of course to some slight extent it falls upon the relief societies, the public charitable institutions, and it paid by the community, and she becomes a public charge of course.

Q. That is the point I wanted, if I do not interrupt you; is there any relation between the question of morality of women workers and their receiving less than a living wage? A. I have never made any investigation that would justify me in expressing any particular opinion upon that subject. I have my impression through the general study of the subject and through my experience for the past eighteen years as secretary of the charities societies, and I have become converted to the idea that the community is justified in establishing standards of various kinds below which society can not afford to allow any considerable number of the community to go. This principle, I think, was very clearly enunciated at the first meeting of the American Economic Association in a very able address by the then president of the Association, Professor Henry Carter Adams, who has since been for many years statistician of the Interstate Commerce Commission. Professor Adams' general proposition was that it was not an interference with free competition for society to establish the line below which competition will not be allowed. In other words society does not, by doing that, favor one individual or one class at the expense of another. It simply establishes the level above which free competition shall be allowed among individuals and among groups. Now we have applied that principal in regard to housing. We have said that there is a certain definite sanitary minimum below which houses shall not be built or occupied. We have applied it to child welfare. We have said that there is a certain minimum below even which parents are not to be allowed to have a free hand, if they do not take care of their children according to the minimum standard. We have applied it to factories, not only as to legislation in regard to excessive hours, and night work and child work and various other respects, but especially with reference to safety. We have said not that this man must do one thing and another but that anybody who conducts a factory of any kind must give a certain minimum standard, of protection from the danger of machinery, from the danger of fire, and from other similar dangers in the factories, and it seems to me the time has come for us to establish in the same way, although this seems in some respects a more radical step than the others, to try this similar step of establishing a living standard of wages. We shall

not say one person must do this, and another must do that. We do not wish to establish different standards among competing groups, but we have a right to say anybody who wishes to engage in this industry and if it is to be carried on at all it must be with people who get a certain standard. So that it seems to me this is carrying on the process of establishing standards, to conform to the sense of decency and of self-respect on the part of the communities. We are all members of the community. We are all responsible for things that happen in the community. We do not allow starvation; we do not allow the exploitation of children in the factories; we do not allow certain factory risks; and it seems to me that the time has come when we shall say we do not allow employers to engage in industry unless they pay a reasonable wage with reference to that particular locality and that particular industry. But all those things, the locality and the industry must be taken into account and be determined, as Professor Seager has said, by wage boards established in particular industries.

Now of course it is said in criticism of the principle of minimum wage legislation that it will throw some people out of employment. Probably it will have that result. Some people will be thrown out of employment temporarily until through education and training they can be made sufficiently efficient and expert to earn the minimum standard established and then they will find employment. In other words for some people it will extend the period of education and training, which will be very desirable. Others, because of some mental deficiency, may never be able to attain the standard. Those who are incapable of training, unable ever to earn the reasonable minimum wage, which would be established in an important industry, ought I think properly to be cared for by the community on some other plan. They ought to be employed as is desirable or for their advantage, but on some plan that will take them out of the ordinary industrial competition. They are not capable of earning a minimum fixed by society. They ought therefore to be put under humane and proper guardianship, of people who will give them shelter and protection, and the kind of employment which will be beneficial for them, but they ought not to be in industry at large reducing wages by an unfair and under the belt competition.

By the CHAIRMAN:

Q. Doctor if that were a good argument for not enacting minimum wage legislation might you not just as well say we ought not to have any higher education because the man who gets the better education may replace one not so well educated? A. I do not think it is a good argument but I made it as it occurred to me.

By Mr. ELKUS:

Q. Do you think that there is an economic objection to any minimum wage law? A. I think there are economic arguments on both sides of the question but the substantial weight of the argument is I think in favor of minimum wage legislation.

Mr. ELKUS: Thank you very much doctor.

Miss MARY VAN KLEECK addressed the Commission.

By Mr. ELKUS:

Q. Miss Van Kleeck what is your occupation? A. Director of investigation for the Committee on Women's Work, Russell Sage Foundation. We are making investigations in New York into the conditions of women's work.

Q. You have made a number of investigations for this commission? A. Into the millinery trade for this commission.

Q. We shall be very glad to hear you on this? A. Supplementing what has been said by some previous speakers I should like to emphasize the fact that we are interested in the protection of women workers by wage legislation at this time, not particularly because they are women, but because they are underpaid workers and underpayment is a social menace whether the worker be a man or a woman, but it happens that the condition pressed most heavily upon women workers at this time, and it seems to me that we should regard those conditions as unique for women and to make the statement so often that the position of women workers with reference to industry and with reference to the support of families and to home life is something quite different from the position of men. The commission has a great deal of evidence about the wages of women, and it would be carrying coal to Newcastle to add to that information, but there are a few points I should like to emphasize on the conditions of work showing the reason why the

underpayment of women workers constitutes so serious a social menace, and I think that is that girls and women characteristically in a large majority are working not for themselves alone but they are working for their families; that primarily the wages of women are family wages rather than individual wages, and I think the evidence on that point may be cited in a number of directions. In the first place in the study that we made of woman's work in the bookbinding trade we found that in less than half of the households of bindery women were their fathers able to contribute to the support of the family; that these typical families were families in which much of the burden of the support fell upon the women workers; that the fathers were either incapacitated or they were dead and unable to contribute to support and that the grown boys were starting out and establishing homes of their own and that the support of the younger children, the support of the mother of the family or the incapacitated father fell very largely upon the women workers. Now in the United States Government study of women workers they investigated nearly 2,500 women here in New York in their studies of wage earning girls in the stores and in the factories and they discovered that of the women who were without home forty per cent. were contributing to needy relatives and that of the women in their home eighty-four per cent. of those in stores and eighty-eight per cent. of those in factories gave all of their earnings to the family budget and that only three per cent. of the girls in stores and six tenths of the girls in factories kept all of their earnings for themselves, showing decidedly that the earnings of women was a family matter. The report of the relief committee following the Ashe fire shows case after case in which appeals were made and substantiated by investigation from families in which the chief support had been taken away, the chief support being a woman worker. Now in this same United States Government investigation they investigated four very large and important industries in this country employing women, silk, cotton, glass and men's ready made clothing, and in each one of these industries they investigated some two thousand homes of the women workers and the evidence showing the number of persons in those families, the average number in the family, and the average number of wage earners is interesting. For silk

for instance the average number in the family was a little more than six and the average number of wage earners, three. In the glass industry the average number in the family was 6.3 and the average number of wage earners three. In the cotton industry the average number in the family 6.6 and the average number of workers 3.7. In men's clothing the average number in the family 5.4 and the average number of wage earners 2.9. In other words in every one of these important industries in this country the number in the family of these women wage earners was double the number of wage earners, that is there were dependents to be cared for by the combined earnings of these wage earners. I think all of that evidence that I have just been quoting shows that there are dependents in these families and that inadequate earnings on the part of the women would result in a low standard of living for those families. Now there is absolutely no evidence on which to base the statement of the average length of time which women remain in industry. We have some evidence of the ages of women in industry and only 36 per cent. of the women employed in manufacturing in this country are under 21. That is some 64 per cent. are 21 and over and something like 11 per cent are 45 and over. The evidence would now seem to show that they are not at all young girls by any manner of means but that they do stay longer in industry than the three or five years being quoted continually by persons who are merely guessing.

I would like to point out in passing in answer to one of the statements made yesterday that the proportion employed in domestic service is decreasing in favor of women employed in some of these other occupations, and moreover domestic and personal service does not mean necessarily employment in the homes but includes waitresses, institutional nurses, hair dressers, embalmers and various other occupations, so that we can not reason from that as was done yesterday quite so quickly that the most important occupation for women is work in the homes. Of every 100 workers in the city 27 are women and of every 100 in manufacturing 29 are women and that represents an increase in proportion as compared with 1900, so that it is becoming more and more important to consider the position of women both because of their importance in industry and because of their importance to the family, and

whatever standards are prevailing for women in industry are bound to affect standards in industry generally as well as standards in the home.

Now the creation of wage boards in my opinion ought to accomplish several things. First of all of course it ought to give to the workers, if they are organized as wage boards in different trades, it ought to give to the workers a voice in the conditions of their employment. Secondly, I think it ought to help employers to understand this problem. I think there is no more important evidence before the Commission than the evidence brought out yesterday when employer after employer responsible for thousands of the women workers stated that he had given no real consideration to the question to be able to answer or give any opinion as to what ought to be done to remedy the situation and when employer after employer says he has never given very much consideration or had given no consideration to what the living wage might be or what relation that might bear to his own wage scale, it seems to me that that was very significant. I believe that the establishment of minimum wage boards would help manufacturers to understand the problem: I think it would compel an analysis of what a worker actually earns. How many employers to-day can tell us how much an earner is actually worth? I think it is the evidence of the investigation for this Commission in all of these different industries that in none of these industries did we find employers studying the individual worker. It was a hit or miss method of bargaining. It never occurred to them to make a study of what the worker was actually earning in the course of a day and that sort of scientific management was unique and it was all the result of guess work of the earning capacity of the worker, so very different from the careful study which ought to be made of the actual productive power of a worker. Minimum wage boards ought to establish conditions which naturally make for efficiency. It has been stated here several times that industrial education might be a remedy for our problem. I should like to emphasize the fact that efficiency in industry to-day is primarily a matter of management, that it devolves upon the manager to create such conditions as shall make efficiency possible. It is perfectly obvious that unless you have an incentive to efficiency in

the form of an increased wage or increased productive capacity, or an exact analysis of what a worker's productive capacity is, you will not have efficiency. We may establish any number of trade schools. We may establish any number of classes and the workers trained in those schools and those classes will not save the general industrial conditions, unless employers are going to improve conditions, unless they realize that it is distinctly an admission of failure on their part to say they have inefficient workers in their establishment, unless they recognize that, there never will be efficiency in industry. What has been done in some industries in the matter of training employees to accomplish their task in the best way and then rewarding them for the accomplishment of that task by an increase is evidence of what can be accomplished. It will never be grappled with in my opinion unless there is some special propulsion or force in all the industries which will make it necessary.

Then I believe it will emphasize the public interest and secure wholesome publicity and that finally it will result in the establishment of better wage standards, but I put that last because I believe that will take care of itself if we have the few principle objects accomplished, publicity, the emphasis of the public interest and careful study of working conditions, including the training of the worker for the establishment of such standards as shall reward efficiency.

By Mr. ELKUS:

Q. Miss Van Kleeck in your investigations into this subject are you able to say what in your opinion constitutes a living wage for women in this city? A. I think perhaps there are two reasons for answering that question, Mr. Elkus. One is as a basis for determining what the finding of the Commissions are and from that point of view I shall be willing to answer the Commission and say roughly we are to look very carefully after all the workers getting less than \$9 a week. If, however, you mean my opinion as to what standards should be established by a wage board I should say that should be determined by each board in which the wage is established, and it is because that can not be established otherwise that I am so much interested in seeing wage boards established.

By the CHAIRMAN:

Q. How would you compose that board? A. It should be composed of workers and of the employers and of the public.

By Mr. ELKUS:

Q. In your investigation have you come to any conclusions as to the relationship between vice and immorality and low wages; have you any opinion to express on that? A. I should agree with the answer made to the question this morning, that it has an indirect effect, that low wage means that the worker is less able to maintain himself or herself on a high plane. I think there is not a great difference between the effect of low wages on men and low wages on women, that for both it means a lower moral tone.

Mrs. CHARLOTTE R. BANGS addressed the Commission:

By Mr. ELKUS:

Q. Are you engaged in any profession or business? A. My main profession is being a good housekeeper. My next profession is that of writing. I have written ever since I was a very young girl.

Q. If you want to address the Commission we shall be very glad to hear you. A. First of all I wish it understood that I am in favor of a minimum wage, especially as applied to factory and store help. I think it could be arranged by the State upon a schedule for efficiency; that is, the employee should be up to a certain set standard for efficiency at a certain salary, not less than \$8. I think it would not have to be over \$9 or \$10. For work inefficiently done I do not believe there can be a minimum wage fixed. There would have to be what I would consider an apprentice grade of workers who are not efficient. This would stimulate ambition to rise to a larger scale of wages. I also think that there is no such thing as the so-called working girl, or working boy or working man or working woman. I do think that they should be classed as three types of women in this world. I would call them the uplift wage earner, the standstill wage earner, of which we have a large number, and the nonworkers, those who do not become very much interested whether they work or not and allow somebody else to do it for them. I do not think that the working girl should have that slur cast upon her of being called a

working girl. Everybody in the whole world should work if they are able to, and if they are unable to unfortunately, they have to have somebody else to work for them, and in that respect I call that co-operation, that is co-operation of one member of the family working for the other who is unable to work. That co-operation I have carried out in the plan of market work and in buying at wholesale in order to get lower prices.

Q. We are very glad to hear you about that subject but we are very much pressed for time and if you will come down to the subject we are considering, the wage question? A. I have said I am in favor of a minimum wage.

Q. And do you want to say anything in favor of the minimum wage? A. I wrote an article that said a girl can live comfortably on \$6.50 a week and I am not going to retract that statement.

Q. That is in this city? A. In this city, but understand that there are many girls who are unable to live on that amount because they do not plan prudently. It is just the same with housekeepers. I can plan on a small sum and my neighbor can not.

Q. Did you base your statements on your own personal experience? A. No, on the experience of others.

Q. You never yourself — A. I have lived on \$5 a week and supported myself in connection with my brothers and sisters at home.

Q. That is at home, living together? A. Co-operatively. I have lived on \$5 a week. I have been through all the experience of the strictest economy.

Q. Have you any facts which you would like to lay before the Commission? A. Personally?

Q. Yes? A. No, I would like to say that I have a letter here from one girl who at least has lived on \$5 a week right here in New York. She has nobody to help her, she said. I can't use her name but she has given five rules for girls who have to live on a small amount.

Q. There were a great many letters published in answer to your statement, saying it was impossible to live on that; denying your statement? A. Bushels of them, but understand I did not say nor do I want to be put in the position that that is all a girl should receive. On the contrary it shows that a girl should rise from that

\$5 or that \$6.50. She should not be compelled to live under that strain and therefore I believe in a minimum wage, and that girl should make herself efficient to earn at least nine or ten dollars a week, but if she plans prudently she can live on \$6.50 and in order to prove the kind of clothes she can wear I have brought some from the department stores and they are pretty enough for anybody to wear. If you wish to see them I will show them. If not I will not.

Q. We do not want to advertise any department store? A. Another point is this that I believe a practice which brings about great immorality, especially in the department stores and I have a witness here to prove that the department stores are contradictory—they state they have rest rooms and hospital rooms and they invite their customers to see the beautiful way they treat their girls and then on the other hand they tell the girls you must wear something better, we don't care how you get it, but you must get it.

Q. You have a witness here to prove that? A. I have a witness here to prove that.

Q. Is she right here in the room? A. She is here in the room.

Q. We will call her? A. I have other witnesses too and they can prove that the department stores are what I call in a contradictory position and the reason they did not testify yesterday is because they can not testify. My witness here I think does not wish to give her name.

Mr. ELKUS: We won't ask her her name if she doesn't care to give it.

Mrs. BANGS: I will be very glad to answer any question but please do not put me down as believing that a girl must live on six dollars and a half a week.

Mrs. GILBERT addressed the Commission.

By Mr. ELKUS:

Q. Are you now employed anywhere? A. No sir.

Q. Now go right ahead and tell us what you want to say? A. I am an ex-employee of department stores and can tell some of

the experiences I have had where one of the employers has told me, on a \$6.50 wage, he don't care where I get my clothes from as long as I have them, to be dressed to suit him.

Q. Was that here in New York city? A. Right here in New York city. If you wish the department store I will be glad to let you have it.

Mr. ELKUS: Just write it on a piece of paper and give it to Commissioner Dreier.

Mrs. GILBERT: I know of another department store where the employer said to the girl when she asked for employment, yes she could have employment if she comes to see him in his office afterwards. I know the girl, and the store is not in existence any more but I know it has been and the wage they paid is from five to five and a half and six dollars a week.

By Commissioner DREIER:

Q. You don't think five and six dollars a week is enough? A. By no means. My opinion is ten dollars a week if she wants to live independently and respectably in New York city. In my own experience I worked in Gimbel Brothers and got \$8 a week and had the hardest struggle to get along. It took me five and six months to save up \$15 to buy a suit. They expect you on a low wage to dress as well as a woman who gets \$18 in the cloak and suit department, who have satin dresses and long trains. Girls can not dress nice enough on \$6, \$7 and \$7.50 a week. If you ask for a raise they say you ought to be glad to keep your position. That is what the manager answered me.

By the CHAIRMAN:

Q. When were you working in this place you have written on this piece of paper? A. This was from 1909 to 1910.

Q. Was it the proprietor of the establishment? A. At that time he was the manager but now he is the proprietor. He told me that himself. One morning I came in, I had a brown skirt on and I had my good skirt at home. I had but two skirts. He came in and he seen it and he said you can not wear brown skirts around here. I said at present I haven't got another. He said what do we care where you get your clothes as long as you have them.

By Mr. ELKUS:

Q. How much did you receive in wages? A. At that time I got \$6.50.

Q. Do you say \$6 or \$6.50 is enough to live on? A. No, sir; it is not. A girl should get from \$9 to \$10 a week.

Q. How long did you draw that? A. Five years.

Q. Did you give your experiences to Mrs. Bangs? A. Yes.

Q. You told her how you tried to live on \$6 a week? A. I didn't live, I simply existed. I couldn't live that you could call living. I certainly had to deprive myself of lots of things I should have had. It took me months and months to save up money to buy a dress or a suit or a pair of shoes. I was nine years in New York before I was able to go to Pittsburg and visit my folks. That was just before I was married. My husband gave me some of the money to go to Pittsburg in order that I could go. I could never save up \$50.

Q. How about sufficient food? A. Many times I didn't have it because I couldn't afford it.

Q. Did you ever go without your meals? A. I never went without my meals but I had very little at times. I had a sandwich and a cup of coffee which was not enough. I worked in a store when I first came to New York from 12 to 14 hours a day. We worked from eight in the morning until nine at night and Friday night until half-past nine and Saturday until ten and the night before any legal holiday we worked until ten o'clock, and four weeks before Christmas we worked until ten, eleven and twelve o'clock without any extra for it, and I lived under those conditions for four and a half years, with those long hours. I had no carfare but I had to pay for my room and board and I had the hardest struggle I ever had in my life and I think the only thing is, if the employers would be a little more liberal and give the girls the privilege of organizing and let them do the rest.

Q. Now you worked with a great many other girls during this time? A. I have.

Q. From your actual experience and knowledge of the subject can you say, from your actual knowledge, whether wages from \$6 to \$6.50 a week tends to make the girls immoral? A. It does.

They are compelled to. I know a girl — I don't know her name — who went out on the street, because she had too low a wage, and they were actually compelling you to wear good clothes and the girl couldn't afford to buy them. I know it from facts where parents had to send their children of fourteen to work and make them say they were fifteen in order to help their parents at home, they were so poor. They had not enough to pay their rent. They didn't know where to get it under the low wage.

Mrs. ANNA FARDAY addressed the Commission:

By Mr. ELKUS:

Q. Where do you live? A. 5911 Fourth avenue.

Q. Mrs. Farday before you were married were you engaged in working in one of the stores? A. I worked in a drug house. I worked for fifteen years.

Q. Manufacturing establishment? A. Yes.

Q. For fifteen years? A. Yes.

Q. What did you do? A. I partly filled bottles and some of the time corked them.

Q. What did those bottles contain? A. Fellowes Compound Syrup of Hypo-phosphate.

Q. A nerve tonic? A. Yes.

Q. And you worked at that for fifteen years? A. Yes.

Q. You never took any of it? A. Not very much.

Q. Now Mrs. Farday, did you get paid by the week? A. By the week, I first received a salary of \$4 a week and during that fifteen years I received an increase to \$6.50 a week. That was the highest I ever got.

Q. Six dollars and fifty cents a week at the end of fifteen years? A. Yes, sir.

Q. How old were you when you began to work? A. Well, I was when I began I guess about eighteen.

Q. And you continued to about 33? A. Yes, sir.

Q. Did you live alone in the city before you were married? A. Well for twelve years I was with my mother and then of course I lost my mother and I was three years struggling by myself.

Q. Alone? A. Yes.

Q. On \$6.50 a week? A. Yes.

Q. Now you have been kind enough to volunteer to give your testimony on how you managed to get along. Just tell us how you did? A. Well I paid at the rate of \$2.75 a week for my room and breakfast and then about twenty cents —

Q. Did you walk to work? A. No, I rode. Sixty cents a week for carfare, and then I had insurance of fifteen cents a week.

Q. What was the insurance for? A. For myself and my sister, life insurance.

Q. How much? A. Fifteen cents a week.

Q. Was it insurance in case of death? A. Yes.

Q. How much would your estate be paid? A. If there had been a death I would have received \$116 for my sister.

Q. For that you paid fifteen cents a week? A. No, five cents a week on her, and ten cents for myself.

Q. Now go right ahead? A. Of course I paid \$2.75 for my breakfast and room and about twenty cents for my dinner. That was my main meal.

Q. What was your breakfast, will you tell us? A. An egg and a cup of coffee and a slice of bread and butter. Of course most of the time I had an expense of \$2 a week for a doctor. I was always in ill health and it was due to standing all the time and lifting heavy vessels.

Q. Now did you have luncheon in the middle of the day? A. Yes, dinner I would call it.

Q. Did you have supper? A. Well supper was very light, a cup of tea perhaps and some crackers, something like that.

Q. Did you do your own sewing? A. I did my own washing and sewing or whatever I had to do and I had to do it in the evening.

By Commissioner DREIER:

Q. How many hours a day did you work? A. From 9 until 5 o'clock.

Q. You said you were sick. A. From 10 to 12 years I was sick and in the end I had to undergo a very serious operation. The doctor told me that it was brought on by this constant standing.

Q. Did you have to go to any sanatorium? A. Yes, I had to be sent through Miss Dutcher, my friend. I had to be sent away, about six times. I suffered a great deal from nervous trouble.

By Mr. ELKUS:

Q. How did you get your clothes? A. Partly on the installment plan.

Q. How much a week or month? A. I couldn't afford to get much clothes. It took me about all I could do to manage. I was lucky if I had a dollar at the end of the week.

Q. For what? A. For my own good. Very seldom I had that much.

Q. You mean after paying for your boarding and lodging and carfare? A. Yes.

Q. And how about shoes and things like that? A. A pair of shoes I suppose about once every six months.

By Mrs. NATHAN:

Q. I would like to ask whether it would have been possible to have done that work sitting if they had provided her with a high bench? A. No, it was impossible to sit.

Q. If there had been high benches? A. No, the work required standing.

Q. As I understand it Mr. Chairman it was filling bottles and corking them; if the tables and chairs had been properly adjusted why couldn't it have been done sitting down? A. Possibly it may have been done if it was allowed but it was not allowed.

By Mr. ELKUS:

Q. Now how did you happen to leave your job after being there fifteen years? A. I got married.

Q. Now in your opinion what do you consider as the lowest sum a girl can maintain herself on in New York City? A. I should consider the lowest sum as from eight to nine dollars a week.

Mr. ALGERNON LEE addressed the Commission:

By Mr. ELKUS:

Q. Will you state your profession and association? A. I am director of the Rand School of Social Science.

Q. The Commission will be very glad to hear you upon this question we are discussing? A. Perhaps I might say I suppose when counsel for the Commission asked me to come here it was largely in view of the fact that for a good many years I have been actively connected with the labor movement and particularly with the labor movement in its socialist form. I would wish to say, however, that I speak distinctly for myself, not as an authorized representative of the socialist movement or of any organization.

My observations have brought me distinctly to the opinion that a legal minimum wage is highly desirable, I might say necessary. A few weeks ago Dr. Woolston was quoted as saying that it was not possible for a woman to live in health and decency in New York on the sum of \$6.50 a week or less. One of the best edited evening papers in New York, printed a very well written article on the subject which is worth referring to because it very well expresses the answer that a very great many people make and do not say so well. The writer says we can not see how anybody can live on \$6 a week. We don't know how we can do it, but people do it. Get on the street car and watch the crowds coming out of the factory and going to the factory and of course you say as you see by the evidence brought out by this Commission, that there are many thousands of women who do live on \$6 or on \$5 a week and who as we look around us, think they have the appearance of health and decency. The proof of the pudding is in the eating, the editor says. Obviously although we don't see, Dr. Woolston don't see how any one can live on \$6 a week, obviously they can and do. Now I think the answer to that is perfectly plain. The answer certainly has been made here this afternoon. It is the answer to which my own observation and the observations in our intimate association of very large numbers of working people of various trades and industries for the last 18 or 20 years has brought me to, and that is that the workers getting \$6.50 or \$6 or

\$5 do not live in health and decency on those wages. There are very many who live upon their youth. They live upon their reserve of vitality, of physical stamina and moral courage that they start out with. They draw on their vital bank account year and year and you may some fine day get notice that the account is overdrawn and they very quickly die from tuberculosis or some other disease which they would have escaped if they had been adequately fed, adequately clothed and reasonably free from anxiety and fear.

Q. And the effect of that descends upon the children? A. I should say so. I am not an expert in biology. I do not think my opinion on that would be worth while. Personally, I should think that if they have children the effects do descend to them but I should not express an opinion on that. Now that is a condition which requires exceptional measures.

In the first place there are these thousands that are being slowly destroyed by living below the normal minimum, and as has also been repeatedly pointed out there, competition tends to drag others down and the results are in very many ways injurious to society as a whole. The question has been a great deal discussed whether the payment of such miserable low wages has an effect upon the morality of those who receive them. I think a good deal has been rationally said on both sides. My observation would lead me to conclude that there are not very many working girls who deliberately resort to prostitution as a means of supplementing their low wages or as a means of getting a better wage on the street. I think the number who deliberately do that or who are in the most literal sense of the word driven into prostitution by poverty is comparatively small. I believe that the number who are indirectly forced into it is very large. The need for some pleasure, some gaiety, some enjoyment in life is as vital as the need for food and clothing. The normal human being, some young man or young woman, will go out and seek the enjoyment of life under whatever condition it is to be found and the conditions of those women who are working for \$7, or \$6 or \$5 a week, the conditions under which they must seek the enjoyment of life are such that they are extremely likely to slide or fall gracefully or unwittingly into the pitfalls that are made for them.

The question is asked or the objection is raised to the establishment of a minimum wage materially above the wages prevailing, a minimum wage of perhaps \$9 a week, that it would handicap many businesses, would drive them into bankruptcy. That has been frequently alleged. I do not know whether there is anything in that; I do not know whether it would have any such effect. If it is a fact that there are businesses which cannot exist without employing workers at a wage which is destructive of them physically, intellectually, morally and socially and in every way, which means sooner or later slow starvation or throwing them into degradation — if there are any businesses which cannot exist without those conditions — then it is to be desired that those businesses come to an end. Every change, every step in social progress and every step in technical processes destroys some business. Whenever an important new machine is introduced, changing the process of industry, there are enterprises that are driven out of the field because they are unable to adapt their operations to the new methods, and we do not shed any tears over those manufacturers who are unable to keep up with the best mechanical methods and are thus driven to the wall. We may have personal sympathy with them, but we desire advancement in the methods of production. I think on exactly the same ground we cannot be deterred from the protection of these thousands of miserably underpaid workers by such considerations of business which cannot get along without this exploitation.

Objection is also raised if a minimum wage is established at say, \$9, the result will be to disemploy many of those who are now employed at a lower wage, for the reason that they are not efficient enough workers to make them worth \$9 a week. I am inclined to think that the argument is not well founded. I think that as a general rule the wages of the workers do not depend primarily upon the degree of their efficiency. I do not believe that the business man is or can be guided by the rule of paying the worker as much as he is worth. I believe that a business man is most of the time necessarily guided by the rule of paying the worker whatever he must pay in order to get the work done. It goes without saying that if there are any unemployed then generally it will be the

less efficient workers who will be unemployed and the most efficient who will be employed. The establishment of the minimum wage then would not result in the disemployment of a part of the workers on the ground of their inefficiency, unless the minimum wage would result in a general contradiction of business in reducing the whole demand for labor in the labor market. I have not seen any evidence produced to show that that would be the case.

But if it be true that there are some who would be disemployed under such conditions, then certainly the answer would be the same as the answer given by Dr. Devine that they ought to be provided for by society in some other way and not allowed to be a drag upon the whole body of the working people and society as a whole.

I do not believe that the opposition to the legal minimum wage principle by some members of organized labor is well founded. They express a fear that a legal minimum wage will tend to become a standard wage, or, broadly, a maximum wage; that the wages of those who are getting more than this will be dragged down to it. It seems to me there is no theoretical reason for believing that; that there is no reason for believing it drawn from the experience of places where the legal minimum wage has been in vogue, and I am inclined to think that those labor leaders who set this against the principle of the legal minimum wage failed to make a distinction that they are confusing the legal minimum wage with the general system of the fixation of wages by local government wage boards; that is to say the system of compulsory arbitration of labor disputes, which involves, of course, the prohibition of strikes and lock-outs, of all the methods of conflict by which organized workers and organized employers settle their differences, by collective bargaining.

The legal minimum wage does not at all involve the proposition of a general legal fixation of wages, or an interference with their collective bargaining, or their individual bargaining for the matter of that, except insofar as it establishes the rule that no one shall have the right to make the contract which to the worker means the giving away of everything that makes life worth living,

and which makes that worker injurious to society as a whole. We have to hold that such a contract as that, a contract by which the worker consents to work for less than enough to properly maintain himself or herself in health and decency, to say nothing of providing for sickness and old age, is a contract made under duress, and that contract enforced by the whole industrial system is not to be regarded at all. A contract regarded as an unconscionable contract is one that should not be permitted to be made.

I apprehend that the greatest difficulty in the working of the minimum wage system would be the difficulty of actually enforcing it, because I know that this difficulty presents itself with somewhat better paid, more skillful, more fortunate workers, who are organized in trades unions, who have a union scale, perhaps established through a strike or perhaps without and who have a collective agreement with the employers, and yet in times of stress, in times of depression it not infrequently happens in many trades that the weekly pay envelope contains an amount somewhat less than the wage which has been agreed upon between the union and the employers, and that the employees individually and the union as such in times when there is a great body of unemployed workers on the street, wink at such violations of the scale.

I should suppose it would be very likely that might happen just as well if the minimum wage were established by law, that there might be the same difficulty in complete enforcement. The conclusion from that is in the first place doubtless that we are not to expect the system to work perfectly and not to be disappointed if it does not work perfectly. I do not know for that matter of any human institutions that do work perfectly.

By Commissioner DREIER:

Q. It has been published, or at least has been suggested, that minimum wage boards would be detrimental to trade union organization; what is your judgment on that question? A. I cannot see it. If it were not joint wage boards that fix the rate of wages then I should be inclined at the present to think it a very dangerous proposition, but when it is a proposition of a wage board to fix a minimum and we have no reason to think it would be a very high minimum, I do not think the labor organizations

have anything to fear from that, but rather hope from it as removing cut-throat competition from the labor market.

Mrs. FREDERICK NATHAN addressed the Commission:

By Mr. ELKUS:

Q. You are the president of the Consumers' League? A. President of the Consumers' League of the city of New York, and First Vice-President of the National Consumers' League.

Q. We should be very glad to hear you, Mrs. Nathan? A. I have brought some data which I will file with the Commission and I want simply to say that it was through the National Consumers' League that the whole agitation for Minimum Wage Boards started in this country. It was in 1908 that we had our first International Conference of Consumers' Leagues, held in Geneva, Switzerland, and there I heard the report read by Mr. James J. Mallon, Secretary of the National Anti-Sweating League of England, and his report was so very interesting as to the results obtained where these wage boards had been maintained that I procured all the pamphlets that I could from him and brought them to the United States and gave them to the National Consumers' League, of which I was first vice-president, and the National Consumers' League formed a national committee to look into the question and report in regard to legislation of wage boards in this country. This was in line with the resolution unanimously adopted at the National Conference, recommending to the various consumers' leagues affiliated that they agitate for legislation establishing wage boards.

Mr. Mallon's report was especially on the conditions in Victoria and in New Zealand in connection with its industrial Conciliation and Arbitration Act in 1894.

In 1896 Victoria, Australia, enacted legislation providing for wage boards to fix minimum wages in any trade. These wage boards, consisting of representatives of workers and an equal number of their employers were created at first as an experiment.

They started with six such boards and they achieved such a success that they were gradually extended to other trades until they covered, in 1909, ninety-one industries. After nine years'

experience, it was decided to make them part of the fixed laws of Victoria and no modification of the law was even contemplated.

Mr. Mallon presented statistics to show that these minimum wage boards increased wages and did not tend to drag the maximum wage down to the minimum wage.

A commissioner sent by the British government to Victoria to investigate, reported in regard to the work of the wage boards, that notwithstanding increases of wage which had taken place in practically all the fifty trades affected, there was no evidence of anything like commensurate increases in the selling prices of articles produced in these trades.

Wage boards have had twenty years of trial in New Zealand and eighteen years of successful experiment in Victoria. In no place, when once established has the system ever been abolished. New South Wales, West Australia, South Australia and Tasmania have all adopted minimum wage legislation of some sort.

The Trade Boards Act passed in England in 1909 was modeled on the Australian law. The first three trades experimented upon were: tailoring, paper-box making, finishing of machine-made lace and hand-hammered chain making. It has been stated that the first effect of the wage boards was to steady and regulate trades — to establish standards of payment, rather than force prices up. Any trade in which women are largely employed, the law requires that at least one of the appointed members, shall be a woman. The board is also empowered to limit the number of learners or apprentices and in this way, employers cannot dismiss workers as soon as skilled and then employ only learners at a reduced wage. The law also provides that the minimum wage must be "clear of all deductions."

In one trade alone (chain making) the women have obtained an increase of net wage amounting to about 80 per cent., while in many cases the increase rose as high as 150 per cent. Yet, in England, when it was suggested to add five new trades to the original four, only the employers of one trade (laundrymen) among all the employers of the five trades, showed any opposition. In England, over 400,000 workers now come under the Trade Boards Act in eight industries.

I think it is better to have separate wage boards for each individual trade because the representatives then of the employees would have naturally better knowledge of conditions in their particular trade, and because I feel it is better to bring into close relationship the employers and the employees in the individual trades.

I have with me, Mr. Chairman, the report of our International Conference of Consumers' Leagues. I do not intend to read it all but I brought it down because Mr. Mallon's address is given in English. It is perhaps the only address in English, the others are in French, and I did not know but what we might be questioned in regard to some of his report, particularly the statistics, and so I have it here.

The International Consumers' League was instrumental, as I have said, in agitating for wage legislation in this country and since 1913 minimum wage legislation has been enacted in nine states: Colorado, California, Massachusetts, Minnesota, Nebraska, Oregon, Utah, Washington and Wisconsin. The legislation covers all industries except in Colorado; there the law affects mercantile establishments, factories, laundries, hotels, restaurants, telegraph and telephone offices.

New York is a conservative State, yet it seems to me that in view of our knowledge concerning the experience in Australia, New Zealand and Great Britain and in view of the facts made public by the State Factory Investigating Commission, in regard to low wages and the resulting evils, that it is time for our legislators to make some attempt to remedy conditions which have become intolerable to the community.

As Mr. Mallon said in 1908: "Wage Boards are not a solution of all industrial ills, but they are machinery of high social value and mark the next step which civilized nations will take in the direction of establishing juster and happier conditions for their weaker and most unfortunate workers."

I have here the actual budget of one saleswoman who received \$5 a week.

Mr. ELKUS: We will have that put in as part of your testimony.

| "ACTUAL BUDGET OF ONE SALESWOMAN EARNING \$5 A WEEK | |
|--|----------|
| Board and room at \$3 a week..... | \$156 00 |
| Lunches at 75 cents a week..... | 39 00 |
| Car fares at 40 cents a week..... | 20 80 |
| One suit | 12 00 |
| Two dresses at \$5 and \$4.50..... | 9 50 |
| One hat at 49 cents, and one at \$1..... | 1 49 |
| Woolen underwear at 59 cents..... | 1 18 |
| Two pairs of gloves at 25 cents..... | 50 |
| Twenty-four pairs stockings at 12½ cents..... | 3 00 |
| Two pairs corsets at \$1 and \$1.50..... | 2 50 |
| Three pairs shoes at \$2..... | 6 00 |
| Two petticoats at 45 cents, black and white..... | 90 |
| Two flannel petticoats at 27 cents..... | 54 |
| Six corset covers at 10 cents..... | 60 |
| Five white shirt waists, four at sixty-nine cents, one at seventy-seven cents | 3 53 |
| One black shirt waist..... | 1 59 |
| Sickness, insurance, pleasures, all incidental..... | 87 |
| Total | \$260 00 |

Five dollars a week — \$260 a year."

Mrs. NATHAN: I have also a number of other pamphlets which I would like to leave with the Commission.

Mr. ELKUS: We shall be glad to receive them.

(At this point the Commission adjourned to meet at 10:15 A. M., December 9th, in room 504 of the Hall of Records.)

HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATION, HELD IN ROOM 504 (SUR-
ROGATE'S COURT ROOM), HALL OF
RECORDS, ON SATURDAY,
JANUARY 9, 1915, AT
10:15 A. M.

Miss HELEN MAROT addressed the Commission:

By Mr. ELKUS:

Q. Miss Marot, will you give your full name? A. Helen Marot.

Q. What is your position? A. I have no position. I am a trade union member, of the Bookkeepers, Stenographers and Accountants' Union.

Q. What officer are you in the union? A. Not any. I am a very humble member.

Q. And by profession you are what? A. I haven't any profession.

Q. Now, with reference to this question which is under discussion before the Commission what are your views with reference to it? A. I stand as one of the trade union women who are refusing to endorse the minimum wage as a legislative proposition, and I should like to speak from that point of view.

Q. Go right ahead? A. I think the position of the trade union women who are objecting to endorsing the proposition for a legislative minimum wage is pretty generally misunderstood. There is a good deal of feeling, I find, in the community, that it is supposed that they have been able to secure more or less their safety in industry through their organization and that they have little sympathy or interest in those working women who have no organizations to represent them. I think this is an unfair assumption, but I venture also to say that the trade union women, those who stand for the minimum wage and those who are op-

posed to it, understand the economics of wage regulation perhaps more than our friends the economists or our friends the reformers. They have had very practical experience, all of them, in collective bargaining, and they know perfectly well the possibility of an employer and the necessity probably of an employer shifting the expense, the increased expense of production, on to the shoulders of the working people.

The trade union women in San Francisco, as you know, oppose the minimum wage; the trade union women in Illinois, as I understand stood for the minimum wage, and the trade union women in Washington stood for the minimum wage. I am not particularly informed as to what part they took in other states, but I should like to say that the California women in opposing minimum wage did so on the ground of which I am going to speak to-day. I should like to say that the trade union women in Washington who stood for the minimum wage when the agitation was on, and I understand are now saying that they regret the step they have taken because they understand the working women have to pay for this legislation and we predict that the Illinois trade union women will realize the same results. The trade union women who are opposing this minimum wage and who realize the ability of the employers to shift the burden of the expense of production on to the workers realize this through their union activity; that is when a trade union increases its wage or secures any concession they find that the securing of that concession is just the beginning. That is, they may, through a strike or through some temporary position of advantage be able to secure an increase in wages or a reduction in hours and when they secure that, their troubles have just begun, they must be on the alert every moment to prevent that increase in wages, or reduction in hours, or benefit whatever it is they have secured, they must be on the alert every moment to see that that increase is not shifted or some change made in management or in the condition of the shop or the store that deprives them of the increase that they have gotten. This is concrete economic experience, which is not theory.

Q. Miss Marot you will pardon me if I interrupt you; we have a great many people who want to be heard this morning and our

time is therefore somewhat limited? A. Yes, how much time may I have?

Q. You may have ten minutes at the most; I do not want to interrupt your argument but what we are interested in now is this: perhaps I can simplify the matter for you; it has been made to appear before the Commission that in these trades where there is organization on the part of the workers there is not as much need, if any, of any regulation about wages, as there is in those trades especially where women are employed, where there is no organization and the suggestions which have been made to the Commission are, that any regulation of wages or attempts of regulation of wages, through wage boards, shall apply to women and minors, and it can be done through what are known as the sweated industries; now if you will address yourself to that you will be able to give us some information; on the general question of what trades unions do and how necessary it is to watch and see that you keep what you get, we are fairly well informed? A. I was citing the trades union experience thinking this was to be applied to the organized trades because their position is that the legal regulations do provide for this constant watching and shifting.

Q. Why doesn't it? A. May I take the example of the shortening of hours by legislation? The working women find that when hours are reduced by law that the wages are reduced or efficiency methods are introduced or new machinery is introduced or some change is made in the management of the shop or speeding up is introduced to make up for this decrease in hours.

Q. I do not quite follow you; if the Legislature provides for a closing hour, how can they work beyond the hour? A. Did I say an increase in hours?

Q. Yes? A. I said a decrease in wages follows the decrease in hours as well as new management like speeding up.

Q. Now you know although you have never worked yourself as I understand it— A. Not in any store or factory.

Q. You know from your study of the subject that there are a great many women, thousands of them, who are not organized in any industry? A. Yes.

Q. And therefore have no one to act for them in any action with their employers? A. Yes.

Q. Now I presume that you are in favor of something being done either through organization or through some other way for the women and minors; now what would you suggest should be done for them or should they be left alone as was suggested yesterday by a number of employers? A. Our position is that unemployment will be the immediate result of legislative measures for regulating wages.

Q. Don't let us talk about the result; I want to direct your views to this. Do you say nothing should be done and then go on and tell me why or do you say something should be done and if so, what? A. I should say that legislation will not remedy the difficulty.

Q. You say there should be no legislation? A. Yes.

Q. What do you say should be done? A. We stand for organization because we believe it is the only way of getting it.

Q. Suppose you can not organize these people? A. We say you can and the last year the increase in organization of New York women is 107 per cent. and in the last five years the organization of women was practically just begun and the real gain, the conscious gain among the women themselves through the country has practically taken within the last five years, and it is not quite fair to hark back to history of 100 years ago when there were no organizations of women, because the woman's movement among the working women is a very new movement and we believe it is the only way and we would be very glad of legislation if we thought it would help, but we believe tremendous unemployment will be the direct result of the minimum wage legislation.

By the CHAIRMAN:

Q. How do you figure that out? A. This way, that if employers have to increase wage rates that it will be absolutely to their interests to sift out those who are the least efficient and to introduce all possible efficiency methods which are known to them. It will also shorten seasons and make the seasons more intermittent because they can by driving their force—this of course in

factories and also partly in the stores—and by arranging their sales and filling their orders they can use simply their most efficient force of workers rather than put on a large body of workers.

Q. Miss Marot you say that any action by legislation which would produce an increase in wage would throw a great many people out of employment; that is because the wage is more or less artificially increased or arbitrarily increased? A. Yes.

Q. Now when you get an organization in the trade and they insist upon being paid higher wages, you accomplish the same thing that the Legislature does? A. Not in the same way.

Q. How do you do it otherwise? A. In our organized trades one of the objects of a trade that is organized is to stretch the work over a season.

Q. I am not talking about that; I am talking about increase in pay; one of the primary objects of labor is to get increased pay and as soon as you get an organization and you think you are entitled to it and you are powerful enough you go to the employer and say we want so much more; now that is an arbitrary increase isn't it? A. Yes, it is an arbitrary increase.

Q. And if a mere arbitrary increase in pay would result in the discharge of people, it does not make any difference, does it, whether that arbitrary increase is created by act of the Legislature or by the arbitrary act of the employees? A. I think any experienced trade unionists will tell you that the increase of pay they get does not follow with the discharge of workers.

Q. Why doesn't it just as if the increase was brought by the Legislature? A. For the reason that they force the situation, the unions, and a strong union does not permit a decrease of the staff.

Q. The state is stronger than any union? A. What happens is that the employment is spread over—

By Mr. ELKUS:

Q. We are talking about the discharge of people? A. I would like to make this point—

Q. We are talking about the discharge of people following increased pay which comes from a trade union? A. There is a

tremendous spirit among the trades unionists and any discharge of the workers at that time would create trouble.

Q. You mean there would be another strike; would that stop the employer from introducing efficiency methods? A. No, only partially, but when he introduced a new machine or new efficiency method the workers are there on the job to make the bargain for the rates.

Q. They would be on the job the other way, wouldn't they? A. No, not at all.

Q. Why? A. They could not be on the job without an organization.

By the CHAIRMAN:

Q. Do you think the employer now does not use all the efficiency methods within his reach or that he can think of in order to make economies in his business? A. No, I think the industry probably has seen possibly only the beginning of efficiency methods.

Q. That is a matter of development? A. Exactly, but I think just as long as employers can use cheap labor — sometimes it is cheaper for them to employ cheap labor rather than introduce efficiency methods — I think that the suffering which comes from low wages is just as ghastly and as terrible as anybody else does but I think it is more difficult for a woman to be thrown out absolutely of employment than even to have what they are getting. It comes about gradually. When it comes through organization methods it is gradual rather than by a sudden introduction of legislation.

Q. Your objection to any legislation — of course we are not committed either way — is this, you believe more results can be obtained through organization of employees? A. Yes.

Q. And your objection to legislation is that you think a number of people will be thrown out of employment at once while through the same method obtained by organization the throwing out of employment will be more gradual? A. Yes, and then may I add also that that period is prolonged almost always, the economists are perfectly right in this, that through the introduction of efficiency methods the demand is increased because prices can be lowered and if these efficiency methods are intro-

duced gradually rather than suddenly, as they will when trade unions are on the job, rather than the state the period is prolonged and this sudden discharge of workers does not occur.

By the CHAIRMAN:

Q. Supposing the State does it in a gradual way? A. I don't understand the question.

Q. For instance in introducing it in different trades gradually and then only after a board of a particular trade has made a thorough investigation and decided? A. I was speaking when it was introduced in a trade this is what happens.

Q. Is it gradual there — when a union for instance in a trade strikes for a certain sum and an agreement is reached for the wage that may be agreed upon — that goes into effect at once? A. Exactly, but discharge does not follow under union circumstances.

Q. Do you say that discharge follows as a result of experience where the minimum wage law has been adopted? A. May I say in Washington that I have just been interviewing one of the former commissioners of the State of Washington who was very enthusiastic for the minimum wage and she tells me now that the girls who are the very poorest paid workers in the department stores, who are working at the notion counters and those counters where the poorest pay is received, are begging the Commission not to enforce the award because they say that the moment that the employers are notified that the girls have been in their positions long enough — the time there is specified — that they will be discharged and they are up against it I may say in Washington, and the trades union women of Washington are absolutely now standing against it as well as a good many of the reformers, and especially this commissioner told me that they are viewing these results, the discharge of these girls who were supposed to receive this minimum wage, with a good deal of dismay.

Q. Of course all reforms injure some few? A. Certainly.

Q. And usually benefit a great many? A. Yes.

Q. And those few have to give way, so that is not necessarily an argument, if one or two of your girls working at a counter are not able to come up to the efficiency standard of \$9 a week and

have to be disposed of there is no reason for depriving the great many? A. That is exactly the difference in the point of view of the working people and the people who approach this from the point of view of reform. We would suggest that the reformers who are supposed to meet all these objections begin at the other end. They said when they introduced the eight-hour legislation that they had back in their minds a long program of reform. They supposed the wages would be reduced and we would have a minimum wage. Now they tell us the minimum wage throws us out of work and we will have old age pensions and take care of them by the State, the unemployable, and we are facing all over the country a condition none of us know how to meet. The country has not yet proven that they can take care of the unemployed working people and the working people view with alarm this program.

By Mr. ELKUS:

Q. There is no suggestion that I have heard on the part of anybody that we want to increase the unemployment; that is purely an assumption of yours? (No reply.)

By the CHAIRMAN:

Q. That has been given to us as your theory, but on the contrary we have some evidence to the effect that increase in wages increases efficiency and in England I think some one testified yesterday that in the same place where there was an increase in wages as a result of establishing a wage board a 100 per cent. increase and the same people remained, and there were no discharges and the efficiency of the individuals increased because of the increase in wages? A. May I say that the advocates of the minimum wage, some of the leading advocates of the minimum wage give as particular reasons for the introduction of the minimum wage, greater efficiency. Sydney Webb is one of the leading exponents and he assures every one I understand that the result where it has been tried is just that.

By Mr. ELKUS:

Q. May I ask you a question, do you know Miss Rose Schneiderman? A. Yes.

Q. Who is she? A. She is a member of the Woman's Trades Union League and has been our vice-president for several years.

Q. What does she work at if she does work? A. She has been an organizer for the league for several years and has also been an organizer for trades.

Q. Is she a working woman herself? A. She has been employed in a factory, she is not now.

Mr. ELKUS: I want to read a letter that she has written:

"I am very sorry that my work calls me out of town and I will therefore not be able to attend the hearing on Friday. I did so much want to be there, thinking that the more people there would be to ask for minimum wage legislation the Commission might see fit to recommend such legislation at the coming session of the legislature. I stand emphatically for a minimum wage commission and minimum wage boards. I feel that it is the business of the State as to how people work and live and especially as with the great army of underpaid women and girls. I am not making this statement as an official of the Trades Union League as I have severed my official connections with that organization."

Q. Is there anything more you would like to say? A. There is a good deal more but it would take much more than ten minutes.

The CHAIRMAN: I think we have the gist of your position?

The WITNESS: I should like to have especially spoken of the effect on the union but that will also take me time.

Mr. ELKUS: We will send you a copy of what you have said and with the permission of the Commission you may add to it anything you want and it will appear in the record.

The CHAIRMAN: Especially if you can get something of value as to results in the experience of the working of the law. I know in the legislature we have all sorts of theories as to what is going to happen and usually the thing never happens. I remember when we proposed the 54-hour law all the manufacturers were going to leave the State and they were going to discharge everybody and get more efficient people, but after the law was established the same factories remained doing the same business with

the same people and the same salaries were paid, so that is theory. Now in practice it did not work out that way.

MISS MAROT: May I speak one word on that, I should like to say that I think all of us realize that the theories that the employers put out and their predictions did not go through but I should like to say that the predictions of the workers that their wages would be cut did go through.

Q. Where? A. In New York State here, when the 54-hour law went through, with the laundry workers particularly in mind throughout the State, they received very large cuts in wages.

Q. We have had no complaints at all? A. I can bring you plenty of laundry workers who can bring you that testimony.

By Commissioner DREIER:

Q. Wouldn't it be very desirable to have a minimum wage law to prevent that very cutting? A. We say the result would be splendid if it would prevent that but we believe the result of the minimum wage law will be unemployment, and the workers count their wage by the year and not by the day.

By the CHAIRMAN:

Q. Do you mean that they are going to do away with the working people? A. Not at all, but as soon as the cost of production through wages is increased it pays them to introduce other methods. I think that is the effect.

By Mr. ELKUS:

Q. Do you think the employers would refrain from doing that now if they could? A. I do not think it is so necessary when they can get cheaper labor.

By Commissioner DREIER:

Q. You advocate cheaper labor then? A. I do not advocate cheaper labor. I think I answered that question a moment ago that I do not advocate cheaper labor but until you can take care of the people who have no employment I doubt very much the value of increasing the rate.

By Mr. ELKUS:

Q. You are assuming that certain things will cause unemployment and we will be very glad if you will give us any State where

they have such legislation where unemployment has followed the introduction of the law? A. I would just like to say that in Australia where they have wage legislation, we all recognize that there has been a great shortage of labor there. There has never been the surplus labor there that there has been in the United States and people going into the Australia experience I think are very apt to forget that fact that the establishment of minimum wage legislation did not have the same results as there would be here with our surplus labor.

Q. I was asked to ask you one question; what happens to what are called scabs when the union rate is established in most shops?

A. The scabs are usually where they were before.

Q. Discharged? A. Surely discharged.

By the CHAIRMAN:

Q. Isn't that rather extraordinary that where there is a shortage of labor that the government should step in and establish a minimum wage? A. You mean in Australia?

Q. Yes, you said there was a shortage of labor there? A. I think that is conceded.

MISS ELIZARETH DUTCHER addressed the Commission:

By Mr. ELKUS:

Q. Where do you live? A. Thirty-nine Pierrepont street, Brooklyn.

Q. And your full name? A. Elizabeth Dutcher.

Q. What is your position? A. I come here to-day representing the Retail Clerk's Union of New York in whose organization I have been active and of which I am the financial secretary. I have been active in the trades union movement for nine years. In the first place, I have some letters here in regard to low wages that I wanted to read, but will place them on file instead. The letters go to show that there are a great many people who are willing to come forward and write letters and sign their names and give their addresses, telling how they live on wages of from five to six to seven dollars a week given in the stores of New York, and also showing the deductions that are made from that amount for fines and for various reasons. I think the Commission already

has a good deal of testimony upon the subject. It is a terrible condition of affairs that has to be met and the question is, how shall it be met? Shall it be met through organization or through the minimum wage or otherwise? Now, the organization that I represent, the Retail Clerk's Union of New York, and also the large international organization, the Retail Clerk's International Protective Association, stand for both methods. They stand for the minimum wage and they stand for organization. We believe that the two things together will work for the best interests of this parasitic trade, as we call it, the mercantile trade. Organization alone in that trade is very difficult. We want to point out some of the difficulties. In the first place the fluctuations in the trade — Dr. Woolston has pointed out in his report that there are a large number of workers, at least one third, who fluctuate in and out of the trade — make it difficult. Then the fact the wages are so low that the girls and, in many cases, the men are unable to pay their dues, is another difficulty. It very hard to pay union dues out of a salary of \$5 a week, and you heard the testimony of Mrs. Fardy yesterday and you know how every penny counted with her on \$6.50 a week salary. Now would it have been possible for a girl on her salary to have paid initiation fees and dues to a trade union? We also have bitter persecution on the part of the employers to face. Members of our union have come and testified for the State Factory Commission and before the Federal Commission, and, with one exception, where there was a particular reason for it, those people, men and women, have not been able to secure employment since in the large stores of New York city.

The black list to which we have referred again and again and concerning which Mr. E. W. Bloomingdale told us to write to the Retail Dry Goods Association, asking that the black list be opened to the public, has not been so opened and has kept union people out of employment. An example of how the employers can arrest the development of a trades union in an underpaid trade is the present condition of the paper box union in New York city. That union is almost dead. There is just the remnant of it still extant. It has been fought steadily by the employers. Of course we believe in a high minimum wage. I would like to see a high minimum wage established for women in New York State. We

want to call your attention to the fact that in Victoria, conditions in which country have been referred to many times in these hearings, the minimum wage for the clerk is forty-eight shillings a week, \$12 a week.

Q. Miss Dutcher, if I may interrupt you, Miss Marot stated that the reasons those laws were successful in these countries was because there was a shortage of labor; do you know anything about that? A. I do not think that that is so, Mr. Elkus. In this little book that has been published on minimum wage, a book, "Minimum Wage in the Chain Making Industry," by R. H. Tawney, which is perhaps the best and most scientific publication to date, it is shown that minimum wages tend to prevent fluctuations in industry and to standardize industry, rather than to cause fluctuations and throw people out of employment. Unemployment is a separate problem which will have to be dealt with by insurance schemes, by employment bureaus, and by State aid to agriculture. I think unemployment has been a serious question at times in Australia just as it is here at times, and it has had to be met by such special provisions. Some people have come here and said that minimum wage would hurt trade unionism. We believe there is good testimony to show that the minimum wage is a help to organization. In the first place it gives people enough money to pay their union dues. It gives them a sense of security and hope that is better than a tonic for them. They feel strengthened. They have some sort of a basis on which they can stand and come forward and I have some authoritative statements that I would like to read to show that trade unionism has succeeded better where minimum wages existed than where they did not exist. This same book, "Minimum Wage in the Chain Making Industry," states on page 102 that a rate board by introducing uniformity in enterprises and fixing a minimum upon which organization can take place makes it easier for the workers to get together than when the worker is at the mercy of the individual employers or middle man who gives them work. The discussion which accompanies its formation — the formation of the wage board — and its work implies a motive which keeps the members together and is a training in industrial self-government. It has been shown that the union is much larger, anywhere from 60 to

90 per cent. among the chain makers than it was before the introduction of the minimum wage. Correspondingly, J. J. Mallon, who is a famous English trade unionist and the secretary of the English Anti-Sweating League, says, in his article on trades boards and organizations in the National Woman's Trade Review of England, that the legal minimum wage so far from being an alternative to vigorous trade unionism will serve as an incentive and prop to combination, and he names a long list of trades in which trades unions have sprung up or been strengthened in England since the minimum wage was introduced there. We have similar testimony from Mr. Justice Higgins of Australia and from Sir George Asquith in England to show how much trade unionism has been strengthened by the minimum wage. It is also a kind of unionism to which employers object less than under other conditions. Minimum wage makes conditions in the trades so much more standardized, so organized on both sides, that it is possible to go forward in trade union propaganda in a much more satisfactory way for all concerned.

There is a question of efficiency among workers which has been brought up many times. I want to say just a word as to my personal belief that the present system works a hardship to the inefficient instead of being a help to them. A great many people who are against the minimum wage seem to consider that the mercantile trade which employs 100,000 people in New York city, the paper box industry which employs at least 10,000 people and the candy industry which employs perhaps another 10,000 exist solely for the support or rather the semi-support of the inefficient workers of New York,—

Q. May I interrupt you there; Miss Marot, the last witness testified that in her opinion if there was a minimum wage fixed that it would result in a great many being thrown out of employment, the inefficient workers, and also that it would mean the introduction of new machinery and more methods of greater efficiency and it would result in longer hours if it were possible and in the speeding up of work and shorter seasons; now we would like to be informed, as you take a different view of the mat-

ter, what you have to say about that? A. In regard to the throwing of people out of employment, I think it would throw out some of these defectives and subnormal people of whom I have just been talking, but I think it would be a mercy to them. I have been trying to show that the presence in the trade of these people is just a cruelty to themselves and a great injury to other people in the trade, in that they lower trade standards.

Q. If they are thrown out of work even at a low wage what is going to become of them? A. What becomes of them now? I have known a large number of such workers who worked for \$4.50 a week or so whose health was undermined by it. I know of one girl for instance who worked in the basement of Gimbel's who was undoubtedly what we call an inefficient worker, and after two months' work there she was three months in the hospital and she is permanently incapacitated by the strain of trying to work in a large department store, a place for which she was not adapted for reasons of health and mentality. It was entirely too much for her. I have known of girls of that kind who have become insane through the strain and gone to city institutions for the insane, and I have known of others who have gone into a life of prostitution and ended in Bedford Reformatory. I submit that the strain of big modern industries is too much for these sub-normal workers and they should be out of them entirely. As to conditions in the trade I think I answered that in my citations from Mr. Towney's book on conditions among the chain makers.

Q. Miss Marot said besides being thrown out of employment the employers would introduce better methods of efficiency so as to curtail the number of employees, and also that they would have shorter hours, and they would speed up the work? A. The book already cited shows that the minimum wage scheme standardizes a trade and lengthens the seasons. It has done that with the chain makers, and that is due to a complicated economic cause which I perhaps need not go into here. The masters in the chain making industry were accustomed to close the shops and say that the season was bad for making chains and would throw the workers out of employment, and then take them back at a reduced rate of pay, make a large quantity of chains and hold the same for higher prices, shutting down and throwing the workers out

of employment again. The introduction of the minimum wage ended this deplorable state of affairs. This "lowering of wages as an investment," lengthened the season.

As for introducing more efficient methods, machinery and that sort of thing, that might be possible in some trades. I do not think it would be possible in the mercantile trade, but in the long run improved machinery has never proved a real detriment to the workers. I think the history of industry shows that.

By Mr. BLOOMINGDALE:

Q. I would like to ask Miss Dutcher whether she thinks legislation ought to be enacted with reference to the help or hindrance it might be to trade unionism? A. Mr. Bloomingdale, I do not think that that is the only consideration.

Q. I am referring more particularly to your statement on the stand as to the effect that it might have, and it is simply a question of whether you think that should be the basis of legislation, the consideration of what help or hindrance it would be to trade unionism? A. Only in that does trade unionism is one of the biggest modern movements to better conditions for the worker. It is just a means to an end like the minimum wage. The seed is the health and efficiency and happiness of the people who constitute the state.

Mr. BLOOMINGDALE: That does not answer my question.

By Mr. ELKUS:

Q. As I understand, Mr. Bloomingdale wants to know whether trade unionism should be considered at all in the framing of legislation? A. Yes, trade unionism should be considered because trades unions have an immense amount of valuable information to contribute to any discussion of the living wage.

Q. I do not think you catch the point; should the Legislature at all in deciding whether or not legislation is beneficial consider whether that is going to help or harm trade unions? A. It seems to me they should because trade unionism is—

Q. Isn't there a first consideration of what will benefit the people affected by the law?

Mr. BLOOMINGDALE: The first consideration and the only consideration only ought to be what benefits the state as a whole?

Commissioner DREIER: Mr. Bloomingdale, you must admit it benefits the state to have well fed workers?

Mr. BLOOMINGDALE: That begs the question, Miss Dreier. I am trying to follow Miss Dutcher's idea in recommending this legislation to know whether it will help the organization and as to whether she thinks that ought to be a consideration with the Legislature in enacting legislation *per se*.

Miss DUTCHER: I don't quite think Mr. Bloomingdale gets my point in reply. Whatever facilitates arrangements between the State and groups of its citizens is a help to the State and it has been shown that the easiest way to deal with any trade is through its trade union. Trade unionism makes all legislation by the State easier to frame and more effective in operation, and for that reason it is important that minimum wage should conserve rather than hurt trade unionism, because it would be and is very difficult to deal in any way through the State or otherwise with a completely unorganized trade.

By Mr. ELKUS:

Q. I have been asked to ask you this question: Is this so: A law which keeps a body of unskilled employees who can be thrown out and taken up at low rates whenever the need of business requires and that being partially employed it keeps unskilled labor on its knees for any job? A. If I understand the question — and of that I am not sure — I think that is generally so.

Q. Also this question I have been asked to ask you: Should the effect of legislation on groups of employees be considered? A. That is, as I understand it, the object of all of these hearings. May I add just one word. It seems to me very important that the question of the relation of trades unions, minimum wage and vocational training should be considered. One of those letters that I handed Mr. Elkus, a letter from an experienced saleswoman, describes life on five dollars a week, and that letter was written by an employee at Bloomingdale's. That is one of the stores where there is a system of vocational training in co-operation with the public school system of New York. We have no quarrel with vocational training. It is one of the methods by which these

inefficient workers are going to be made more efficient. But we submit that with wages as low as they are, and advancement so uncertain in a store of the Bloomingdale type, it is a mistake to attract young workers to such a place by vocational training in connection with the business itself.

Dr. ISAAC RUBINOW addressed the Commission.

By Mr. ELKUS:

Q. What is your position doctor? A. I want it understood I am here in a private capacity of course.

Q. We understand that, but what is your official position? A. I am a statistician of an insurance company.

Q. You know the subject that is under discussion; we would be glad to hear what your views are about the whole matter? A. Mr. Elkus, of course I received a request to come here on rather short notice and I do not know that I have prepared any definite statement; I do not know that I can add anything to the general stock of information which has been gathered by the Commission already. Of course I have some views on the subject of the minimum wage legislation and on the question of labor legislation in general. I have been for 15 years studying questions of labor and have been connected for nearly that time, or perhaps longer than that time, with the socialist movement in this country, and so of course I have some views on the problem of minimum wage legislation. If it is any good I want to give the weight of my experience in favor of the minimum wage law. Of course it depends largely on what sort of a minimum wage law you have.

Q. You say you want to give the weight of your experience; do you mean that you have some knowledge of facts that you can give us? A. The facts that I can quote are the facts of wage conditions in this country. It so happens that a short time ago I had an opportunity of studying wage fluctuations in the country and I brought a pamphlet which I could present to the Commission to do anything they please with it. I have come to the conclusion that the sum total of the result of the last 20 years of economical development as far as wage conditions are concerned,

real wages as measured by the producing value, is that there has been probably a reduction of from 10 to 12 per cent. I suppose we all agree that wage conditions in this country are not favorable, that is, that there is a large body of working people who are not getting a sufficient amount to live decently and preserve their health and efficiency. The opposition to minimum wage legislation, insofar as it comes from the employer on the pure basis of trying to preserve his high profits I think may be dismissed here. I think that the minimum wage law, if it is to be an efficient law, will cut into profits to some extent. I am not a prophet and I do not know how far it will cut into profits, but the very fact that there is a large opposition to minimum wage legislation, as there is to higher wages, indicates naturally that the employer is not willing to pay any more than he has to pay, but so far as the other opposition has been developed among organized labor, and I regret to say even among some members of the socialist party, it is evidently based upon an exaggerated opinion of what organized economic effort of the workmen can accomplish. It seems to me that notwithstanding all the conflicts between labor and capital in the last 20 years, notwithstanding all the exaggerated and acute form which that conflict has often assumed, and which is known under the labels of I. W. W. or anything else, that if the sum total of the result of the wage conditions or fluctuations is a reduction of ten to twelve per cent., I think that is a pretty strong argument that economic effort cannot accomplish and was not successful in keeping up the wage standards, to say nothing of a possible increase, and if organized men who have been in the labor movement for decades and decades were not any more successful than that, we can expect very little from organization of women. I do not want to stand here and criticise the results of the organization of labor among women. Of course I sympathize with anything they can do, but it seems to me in the very nature of things conditions among female labor are such that comparatively little can be accomplished by organized labor alone. The large body of female workers consists of two groups, either very young girls who look upon their occupation as a temporary thing to be followed by marriage, and they have not the incentive nor the experience to form a favorable

organized labor movement, and insofar as we have women of all ages working they are mostly married women or widows who are broken in spirit and they are very poor material for an active labor movement. So far there never was a strike of women that was won without very active assistance from the public at large, especially from organized male labor. Now it seems to me authority can accomplish the same results with a good deal less friction by utilizing the legislative machinery.

I won't take any more time than is allotted to me. As far as the economic effect of the minimum wage law is concerned there are two things I would like to say about it. First of all that prophecies in regard to the economic effects of legislative enactment have had such a bad reputation in the past that I am not willing to put much faith in them. All kinds of things have been charged every time labor legislation has been pushed, whether child labor, or reduction of hours of labor or compensation.

At the time the compensation law was considered — while it is not an ideal law still it is the most liberal in this country — it was argued that the New Jersey law, which is probably one of the worst laws in the country, would result in wholesale emigration from New York to New Jersey. I have failed to hear of a single case where that prophecy has taken place. Undoubtedly there is a certain theoretical basis for the fear of possible interstate competition. That is the great misfortune in this country, that it applies itself to problems of labor or social legislation and that we have to do it by piece meal and the next door neighbor may not do it as well as we do, but it is a condition that has to be met because the history of labor legislation has shown instead of migration of industries from one part to the other the progressive states have succeeded in influencing the reactionary states in slowly following, and if the State of New York has to fear the state of New Jersey we would never get ahead. We have to take our chances and see what results will follow and meet them as they arrive.

The other general remark I want to make in regard to possible economic effects of minimum wage legislation, such as dismissal of the inefficient and general increase of unemployment, I want to say that sort of argument comes with bad grace from anyone who believes in the labor movement, because economically an increase

in wages is an increase of wages whether it comes through union action or social legislation and if we are to fear an increase of wages because those not within that body may suffer, then of course we have to get an economic action as well as a political action, because there has never been a strike that would increase the wages of all of the employees at the same time. It may well be that by increasing wages at the bottom you will make it economically unprofitable to employ a certain class of labor. I think on the whole while there may be individual cases of hardship which have to be met in a different way, on the whole that is a result to be desired. As far as girls are concerned, it will simply mean an increase in the minimum age when a girl goes to work. It stands to reason, other things being equal, the older the girl the more efficient she is. If the result will be that the law will cut out all store girls of 15 to 16 that is a result to be desired. There are many young girls who work and still the main burden is upon their family.

It may be that a condition of crisis, of very severe unemployment, is not the time to begin with a minimum wage law. As a matter of fact it is not the time to begin almost anything. Social legislation has to be experimented with, preferably during the more favorable times, and preparations have to be made for the peculiar problems that the crisis creates. I do not know whether the question of social insurance is germane to the topic you are discussing, but I never want to miss an opportunity of saying something in favor of my own hobby.

The CHAIRMAN: Judging from your book it is your hobby.

Mr. RUBINOW: I consider that social insurance is in the nature of minimum wage legislation because properly incorporated the minimum wage is a living wage, not a living wage only when the person is well and uninjured, but a wage on a parity throughout a year previous, of necessary standards of life. If the minimum wage is to be only an entering wedge for wider legislation, if it is to carry with it sooner or later proper insurance against all the conditions which deprive the wage worker of the regular income, whether it be industrial, accident or otherwise, which has already been accomplished, although not in regard to the department store girl, I am sorry to say, or sickness insurance or employment insur-

ance, if all these things are to be carried with it, then the economic results that apply and that people so much fear need not happen.

Q. Suppose they are not adopted how about the economic result? A. If the minimum wage law should emphasize the condition of marked unemployment in this State, I think I should welcome that which should give us unemployment insurance sooner or later, because I firmly believe that with recognition of the unemployment problem in this country, which we already have, further action depends entirely upon the amount of pressure which the interested groups of citizens will exercise.

Q. Did you see the suggestion of the President which he made yesterday that there should be a national employment information bureau or some of that kind? A. Employment agencies themselves are very good when employment is to be had. I am in favor of public employment offices. I might say more, I am in favor of monopolistic employment offices. In other words, I think the question of finding employment should not be left to private hands, to speculators to profit, but employment offices cannot create employment.

Q. Did not the President go further in his suggestion than merely to have employment offices? A. I did not read my paper this morning, I was too busy, so I do not know what the statement was, but the problem of unemployment has to be met eventually by a system of unemployment insurance. That is my deep conviction. Now the difficulty of unemployment insurance, or getting it, is the fact that we have so many people who are half employed, who seem to be employed and yet are not earning their living, and the more quickly the problem of unemployment is known the sooner it will come up before the people at large and the sooner we will get the necessary measures.

By Mr. BLOOMINGDALE:

Q. The witness has referred incidentally to the opposition to a minimum wage law, and I would like to ask him whether he has heard any opposition expressed — I haven't?

Mr. ELKUS: I have.

A. I might say in regard to that, there is considerable opposition to a minimum wage law among organized labor. We might

as well recognize that, but I believe this to some extent is due to misunderstanding. I think organized labor usually condemns the minimum wage law as compulsory arbitration. Outside of the opposition to minimum wage law because of the fear that it might interfere with the progress of organization, there is the further fact that the minimum wage law may eventually lead to an alteration of the highest or maximum wage by the organized state, but there is no denying that considerable amount of opposition to minimum wage exists.

Q. I mean have you heard of opposition on the part of the employer; I would like to put on the record that there has been no opposition expressed on the part of the employers? A. The opposition follows from the fact that so many there are who do not pay any more than a normal wage. I do not know whether the proposition includes clerical help as well as factory and store help. My experience with this work has convinced me there is just as great a problem in our largest offices as there is in factories and department stores, and there is one advantage in handling the situation, that large offices cannot emigrate to other states, so that there is no possibility of interstate competition as far as clerical aid is concerned. There is many a girl in the financial district who works in the very center of the wealth of this country, and when I say that I am not saying it as a political agitator, but as one who has seen things, who has to go to work with a ten or fifteen cent lunch, and that is regarded as quite a luxury.

By the CHAIRMAN:

Q. You were just saying something about interstate competition and emigration. I have heard that same story year after year and yet I have never been able to get one instance where a manufacturer left because of legislation which was enacted in this state. We had a very clear instance of that when President Marks came before us some time ago and said that because of the factory legislation which we enacted there were about 15 manufacturers that he knew of who were going to leave the State and go to another State where there was a little more laxity in the law, and when we tried to get from the borough president the name of one manufacturer who would leave he told us he would

volunteer some later day to give us all of the names. That was some six or eight months ago, and we have to to-day not received a single name from him. These statements made in public for the purpose of discrediting the law, and then making assertions of that kind, and letting the public impression get out that this is going to happen with a promise at some future date to make good and not make good should be condemned in a public official more than in a private individual. A. I want to say that perhaps it is not the wisest thing to neglect the factor altogether. I have never heard of anybody moving from one State to another because of the compensation law, but I do know that there are manufacturers who began in the State of New York and have gradually extended their operations in other States as well and who give as a reason for it the fact that wage conditions are better.

Q. For them? A. Better for them. That sort of thing is possible, and it is a fact that the minimum wage law is more drastic in its effect upon the profits than the compensation act. That is inevitable. If that is a serious factor to be reckoned with, then we should take cognizance of it. If that is the case there is always an incentive for the employer to open a branch in Pennsylvania, for instance, in the event of a strike. We cannot use that as an argument against labor legislation, and if we should use it we would be up against a dead wall and have to conform to the worst conditions in the country. The Lord knows we have plenty bad States in the country in the matter of social and labor legislation.

Miss NELLE SWARTZ addressed the Commission.

By Mr. ELKUS:

Q. Miss Swartz, what is your official position? A. I am executive secretary of the Consumers' League of New York city. In some testimony which was given on Thursday it was stated that if the minimum wage is established the cost of the increased wage would naturally come back upon the public or on the consumer, and the point which I wish to emphasize this morning is, that the public is paying for this now, paying for it through the wide variety of charity which this city offers. Any industry which is not paying to its workers a living wage is placing an

undue burden upon charity, and is in addition a parasite upon the community. To illustrate my point I wish to quote from the *New York Times* of December 13th where a description of 100 needy families of New York City is given. These families were selected for the *New York Times* by the Association for the Improvement of the Condition of the Poor, Charity Organization Society and State Charity Association, three of the largest relief societies of New York City. Out of these 100 cases, as I said, in the *New York Times*, in 70 of them women are the wage earners in the family. I just wish to quote several of these cases to give you an idea. In one case where the father is ill the mother has one small child dependent upon her. The woman is working in a factory earning \$4 a week. The church helps with a weekly allowance of \$4.50 a week. The Charity Organization Society appeals for \$50 to supplement the woman's earnings. There is still another, the father is dead. There is a woman and two small children. She works in a tie factory earning 80 cents a day and the State Charities Aid Association appeals for help. In still another case the only support of the family is a young girl who is working in a New York City department store earning \$4 a week as a cash girl. The Charity Society Organization appeals and asks the public to supplement her earnings to the extent of \$15 a month. And in still another, the father has heart disease. He is in a public sanitarium and four of the five children have been placed in public institutions. The mother is supporting a fifth child, but her meager earnings can only pay for food for herself and baby, and the State Charities Aid Association asks the public to supply her with clothing. I have just given a few of these. There are many more of them I might cite.

Are we not therefore creating these conditions which we are called upon later to alleviate. It seems to me necessary that we secure some standard of payment for our working people.

On Thursday some employer spoke of a minimum wage being imposed upon them. If we should have minimum wage boards which will fix the wage rates they will be made up of representatives of employers and employees and the public and the wage would not be imposed upon him because he would have a voice in fixing that wage.

The advantages of wage boards it seems to me are first the get-

ting together of the employer and the underpaid employe and the public to discuss this question. That particularly recommends this to those who believe in democracy. It would bring about a better understanding between the employes, the employers and the public and each realizing the difficulties which beset the other all would be correspondingly more tolerant. In such a commission wage boards would give voice to the now defenseless worker, and to the employer as well as the conscience of the community.

Mr. BENJAMIN C. MARSH addressed the Commission:

Mr. MARSH: Now, Mr. Chairman, what you ought to call this is not the minimum wage for the workers, but the maximum privilege rate for each, the maximum luxury wage for each. That is what it amounts to. Of course, as I am limited to five minutes, I can't go into much of an argument, but I will leave some proof with you.

Mr. ELKUS: You may add to your written statement, you may add anything to your statement and it will appear in the record afterward.

Mr. MARSH: Thank you, I will be very glad to do so. Of course the wrong way to go after improving the condition of the people is to try to get them to lift themselves by their own boot straps, which you do in the minimum wage. The only effective thing is to knock out privilege. Now, as far as women are concerned and minors, I want to say that personally, although I do not speak for any organization which I represent, I favor this minimum wage merely because they have no vote. If they had a vote and continued to vote for the present parties they ought to suffer, and if they had a vote and failed to use that vote in order to cut out privilege and did not stop sending out Tammany Hall candidates and Republicans to continue to represent them, they ought to suffer, but to be logical your minimum wage ought to cover the emigrant who does not vote. Now my only justification for introducing the minimum wage is this: the State of New York should say now you poor women and children you have not a vote, and we the political parties, Tammany Hall and the Republican organization, get our support from the privileged classes. We permit them to exploit you by high rents, Wall street contamination and

various protective privileges that we do not think it fair that you poor women should suffer so much, therefore we will let you have a little more wage which will come out of the consumers in the long run, but of course I say you ought to let that apply to the emigrants who do not vote similarly. Now it is nonsense to say that to pay the minimum wage to women and children will not increase the cost of goods. For instance in the coal strike that arose, the operators increased the miners about 25 cents a ton for coal and raised the price of coal from a dollar to a dollar and a half very shortly. Of course that was paid by the consumer. It don't reduce the profits in the least to the manufacturers. I hope this Commission realizes that just now they are begging the employers for God sake to give some work to the people and then pay the increase wage. That is what you ask. It is not a large wage, but relatively a large one and it is most unfortunate time to make this suggestion, and the manufacturers have a perfect right to say to the Legislature we want to be fair, but we demand that you relieve us and the other workers from the extortions of these before you ask us to pay a minimum wage. Now I challenge anyone to say that the minimum wage in any country under the present system of privilege has helped the working people very materially, because prices will increase much more rapidly than you can raise the minimum wage or any other wage, and until you have freedom of production as well as freedom of exchange your minimum wage is chiefly going to benefit the privileged classes. I grant you it will partly benefit the women and the minors who are made the beneficiaries of it, but not to any large extent, and the benefit will largely accrue to the privileged classes. It will also come out of the consumer who pays the freight. I want to be very clear as saying personally that those women who do not vote should have the benefit of the minimum wage, and as soon as they do vote they are not entitled to the minimum wage, and only as long as the nonvoters do not vote are they in any way entitled to the minimum wage. This is better than charity perhaps, but it does not really increase the real wage. It increases the nominal wage, but not the real wage, and what the working people are concerned with is the purchasing power of wages.

I would like to give a few figures as to what the minimum wage would mean. The average wage paid to the average number of workers in factories in New York City in 1909 — these are from the census figures — was \$584.10. Had all the workers been paid \$900 the total wages paid these factory employees would have been about \$490,000,000, or \$167,000,000 more than the total wages they actually received. Of course all of these were not women nor minors. Assuming that on the average only 400,000 people with families dependent upon them were working in factories and receiving \$360 less than the minimum wage, this would mean an increase in wages of \$126,500,000 in round figures, but there are in normal times at least 1,400,000 people working for hire, probably a large proportion of whom are getting less than the minimum wage. Simply trying to raise wages by fiat is not any more effective than trying to legislate morality into a community that does not want it.

Our tax system requires from the family in this city and country that they pay about \$180 more than they ought to pay. As the *Globe* put it in an editorial the other day, the land owners are taking about \$300 per family in taxes and ground rent, the cost of government another \$300 and they say it is no wonder we have hard times when half of the earnings of the families in New York City — not half on the average, but roughly half, go to the government and for profits to the land owners, and then you can figure, of course, the exploitation of other interests which detract from what seems to me the large nominal wage but what is really a very small wage. If you want to have wages raised for women the way to do it is to compel the utilization of the land and the other resources of the country. You can pass these laws. I do not suppose that it will do much harm. I talked with a gentleman in London who was administering the minimum wage law for those four trades and they were not at all optimistic as to the real benefit to the working people. Temporarily, it would relieve the situation, but as long as your cost of living is going up 100 points and your wage is going up only 20, you are never going to have them catch up with each other, and you cannot in that way help the working people. You have got to follow the economic laws and take off every sort of privilege.

ROME G. BROWN, Esq., addressed the Commission:

By Mr. ELKUS:

Q. Mr. Brown, you were the counsel in a recent case before the United States Supreme Court which attacked the constitutionality of the minimum wage law which was passed in Oregon?

A. Yes, sir, I was, that is one of the counsel.

Q. And you have considered this minimum wage question?

A. Yes, I have.

Q. We will be very glad to hear from you about it? A. I have not prepared any formal statement. I have put together in my mind mostly since I entered the room the points that I thought would be pertinent to the inquiry of this Commission, and if I could state those without too many questions it would give us more time for questions afterwards.

The CHAIRMAN: I suggest that we not interrupt Mr. Brown at all.

Mr. BROWN: I would be very glad to answer any questions or rather try to answer you or tell you I cannot afterwards. I will be very brief in my statement. I wish to be understood in the first place that I do not pose as an expert on the minimum wage or any other economic question. I want my position exactly understood. As a student such as any practicing lawyer is in general questions first, and second as particularly interested in the legal or constitutional view of the minimum wage question, I had made some investigations and studies in connection with the constitutional view point. I should right here, if you please, Mr. Chairman, like to say that I will ask permission to submit a short typewritten summary, for I shall be very desultory in my statements. In connection with these legal studies and my personal studies I happened to come across some of the points connected with the general questions or policies with regard to the minimum wage and I assumed that what little information I could give you from my experience and study is what the Commission desires. That is I understand the question before the Commission is as to whether it will recommend to the Legislature of the State of New York a statutory minimum wage, and if so, what sort of a statutory minimum wage.

The time is past when any frank or well informed person can deny that there are evils arising from inequality of wages. I shall not attempt to admit nor deny the various suggestions that have been made upon that point. There are too many employees and of course they consist of the lower class of employees who are getting too low wages. There are too many employers who are paying less than they ought to pay. As to what extent from the employer view point increase should be made or as to what extent from the employee view point the increase should be made, and as to how the increase should be provided for is the real question at issue. Now respecting the minimum wage and particularly the legislative minimum wage, I do not see any danger, economic, industrial or social in a minimum wage. I do not find from my studies any danger necessarily in a legislative minimum wage. The danger, it seems to me, threatens from the method or the means by which the minimum wage is to be established and enforced. In the discussion of the question much has been said of the necessity, the advantage in the education of the employee, those who on account of inefficiency or illiteracy have not brought themselves up to this standard of the minimum wage, and a great deal has been said which would seem from some quarters to place the blame of the situation upon the employee. I agree that one of the great needs to abate this admitted evil of inefficient wages is the education of the employee, but I think as much and perhaps more is needed the education of the employer, and I think the fault of insufficient and inadequate wages exists to-day, although I think it has been largely exaggerated, but they do exist—that fault is due to the employer quite as much as to the employee and in both instances I believe on account of a lack of education.

Employers are, many of them, selfishly not giving what their business will allow to their employees. Other employers are paying liberal wages. The selfish ones need an incentive in order to compel or to influence them to co-operate with the other larger class of employees who are willing to pay a sufficient wage. The employees need education and means of co-operation, not only among themselves, but between them as a class and the employers as a class.

In my opinion, and I draw my conclusion from the studies I have made, it is absolutely futile to attempt to enforce efficiency of the employees by legislation. I think it is absolutely futile to attempt to enforce a spirit of co-operation, benevolence or any other good quality on the part of the employers by legislation. I think the element of force is something that should be avoided. Therefore I believe that the best method and the only real practical method to bring about useful results, results in regard to this wage question, useful to the employee and consistent with the maintenance of industry, is through co-operation, through education of both classes, the employer and the employee. Wages have been improved heretofore to a great extent by just such co-operation, the influence of the better class of employers upon those who are not as liberal and by means of co-operation between the employees and the employers. I believe that if a minimum wage is to be legislated it should be on this theory that I have spoken of, that the best benefits will arise from co-operation, from voluntary actions and not forced actions, at least not to the extent that the provisions of the statute shall subject the employer to a criminal or civil prosecution. This was the spirit of the minimum wage in Massachusetts, so there are in legislating minimum wage, two classes, the non-compulsory statutes such as the Massachusetts statute of 1912, which was followed in Nebraska, and the compulsory statutes which have been passed in these five or six states by the Legislatures of 1914.

Now my statement and position that it is the non-compulsory statute which is the most effective to bring about an improvement in the wage condition is shown, it seems to me, by the way the Massachusetts statute was formulated. The State of Massachusetts appointed a board to investigate the question, just, I assume, as you are investigating it now. That investigation was during a period of a year or more, and they studied the experience in England, in Victoria and other countries of Australasia. The result of that investigation after studying the experience of all of the countries in which a compulsory minimum wage had been put into effect, the result of that investigation and report was this conclusion which was placed before the Legislature of Massachusetts; these special boards, referring to the boards in England

and these other countries — mind you this was a report that was made in 1911 to the Legislature of 1912 — although authorized to secure a living wage in truth have served to formulate rules for a trade and bring employees and employers into co-operation to provide suitable machinery for the readjustment of wages and other matters due to changing economic conditions, and in accordance with that report the Massachusetts statute was formulated and passed in the non-compulsory form. It omitted the criminal liability of non-compliance; it omitted the civil liability; it provided for a board to investigate all occupations throughout the State and to make its report to the Legislature, or to make its report and publish it as to what they deemed in any particular action as to particular classes the methods to be adopted towards a living wage. And the remedy was by publicity, that is, the only penalty was publicity, instead of the courts, publishing the names of the employers who were not complying with the recommendation of the board. The theory of this statute arises from the experience of the statutes in England, that the only really beneficial features which had worked out in those statutes were the co-operative features. Such a statute as Massachusetts adds to the co-operation which may be offered between the employers or between the employees or between both classes. It adds to them and promotes it by the investigations of the State Board that are made under official sanction. It adds and stimulates — it adds an official stimulus and an authoritative stimulant to the spirit which the employers, or some of them at least, already have to benefit the condition of the employee. It add also a stimulus to the employee to co-operate with the employer, and as I have stated the only real beneficial result will finally come by co-operation.

So it was that Mr. Aves, who was sent by England in 1909 to investigate the conditions in Victoria and in Australasia reported to the British authorities in regard to the experience there, just as you are investigating here — Mr. Aves found and so reported that up to that time in 1909 the experience in Australasia had been rather brief and it had been confined to times of prosperity and that the minimum wage there had been operative only in a very limited number of employments. However, he reported to

the British authorities that the evidence he had found, he says, "does not seem to justify the conclusion that it would be advantageous to make the recommendations by any special boards that may be constituted in this country — referring to England — legally binding because if this power were granted it could not with regard to wages be effectively exercised."

That report of Mr. Aves was acted upon or rather it had influence upon the action of the English Parliament in passing the act of 1910 which was the first minimum wage statute there. That minimum wage statute was applied to only three or four I think sweated industries and to certain employment which required work under ground. That experience and advice of Mr. Aves were before the Massachusetts commission and they studied the question as reported by him and made an independent investigation and secured the advice and experience up to 1912 and the Legislature of Massachusetts acting upon the advice and report of this Commission instituted for that purpose — I am a New Englander a little partial to New England enlightenment — I should say that Massachusetts could be taken as enlightened a state as there is, except New York of course — enlightened people of that state came deliberately to the conclusion that it was a non-compulsory statute that would be beneficial. They came to the conclusion that what was needed was promotion of co-operation, forcing the employers who were already willing to do better, and to bring in line the employers who were lagging behind. They thought also that what was needed was not force — not compulsion exactly — but official promotion of co-operation between employers and employees without the element of force, because as I have said it is utterly futile to attempt by legislation to force efficiency or to force added efficiency in employees. It is utterly futile to attempt to force a spirit of benevolent co-operation or whatever you may call it upon the part of the employer. More than that, as stated by Mr. Aves, when he found that the real beneficial, and the only beneficial features of the English act had been through the co-operative features, he also found as he stated that if the recommendations of the Board were made legally binding he thought that such power to force wages could not be, although enacted effectively exercised. So my conclusion from that point

is simply of course my opinion from my studies, that considered purely as a matter of policy and without discussing our peculiar system of government here and the powers of legislation, considering it as a mere matter of policy, I think it is advisable to go no further if you are going to legislate a minimum wage — it is advisable to go no further than fixing a non-compulsory wage in the manner it is fixed in Massachusetts.

Let me give this suggestion: you can change from a non-compulsory statute to a compulsory statute with less dangers of evils than you can to enact without sufficient consideration or proof of its advisability, a compulsory statute with a possibility that you would be compelled to go to a non-compulsory statute. Take the thing by steps and do not run the risk of over-doing it, because this element that Mr. Aves speaks of, that even if the Legislature had the power to enact and enforce a compulsory statute, nevertheless even in England he finds that such a statute does not work out. The powers attempted to be given are not effectively exercised to bring about the result that is desired. On the contrary under the non-compulsory statute the non-compulsory idea works out not only in theory but also in practice.

But to-day when the legislative minimum wage is spoken of there is in mind almost always the compulsory minimum wage such as, for instance, was enacted in Oregon and has been enacted in five or six other states, all with the feature of the commission investigation and report except in Utah. When we come to the compulsory statute there is that element of force, that drastic feature, that compulsory feature by reason of which the statute, as I say, becomes ineffective, because it will not work out right. It compels instead of induces. It places a situation absolutely unyielding instead of working up to it gradually by voluntary promotion and co-operation and more than that the principle of the statute is I believe illegal. I am not going to discuss the legal proposition because it has been discussed at Washington and will probably be decided soon, but let us discuss it as though the principle of that compulsory legislation had been sustained, as though it were possible to have it sustained — I say the element of force and compulsion is an evil, is a pure matter of policy for the community, for the compulsory statute makes the basis of the minimum wage the amount that it costs the employee to live in health and comfort.

It makes the wage based upon a purely individual thing which is neither creative nor increased nor affected by the effect of employment. It makes the amount of the wage to be paid entirely independent of the consideration of the amount of units of work that the employee does or is able to perform. It makes the computation of the amount of the wage to be based independently of the consideration of whether the work is worth the wage to the employer. In other words the very theory of the compulsory minimum wage is a statutory compulsion that the employer shall pay to his employee — the class that are affected by the minimum wage is the lower class earners — shall pay them the difference between what they earn and what it costs them to live, no matter whether it is less than what the work is worth to him and no matter what he can in his business afford to pay. Now I am not an expert in economics, I am not an expert in anything, but my conclusion from what I have studied here is, that if you once establish the principle that you are going to fix a compulsory wage, independent of any consideration of what it is paid for or what is the consideration received in return, in other words if you are going to fix a compulsory wage on a basis that is absolutely independent of the efficiency of the employee, you have established a principle which inevitably must be applied to all classes of employees. If you have established the principle that the State, for instance, has the power to enact and enforce a minimum wage, which compels an employer to give more than what the employee earns, and is based solely upon the cost of living then you have established the power to fix a maximum wage by statute; that is you establish the power for the minimum wage to make the employer pay more than he receives, and you have by the same principle the power to enact a statute compelling the employee to give more than he receives, in other words to give more work for a less wage than it is worth, and when you have once established that principle in our system of government you have established a principle under which it is possible to create what is slavery.

Am I alone in this idea? The platform of the so-called Progressive party in this campaign — I never could call them Progressives — third party I would rather call them — that party in the last campaign included in its platform, beside all of the other

vagaries that had been thought of up to that time, the minimum wage for women and minors, and I say the statutory compulsion of minimum wage for women and children and for all classes of workers is a vagary and impracticable proposition. It was necessary, therefore, that the opposition party should answer that question, and President Wilson, though so far as my information guides me, is neither a Tammanyite, nor a Progressive, nor a Socialist, therefore, from what I have heard to-day he is qualified to be heard — Mr. Elkus: Nor a Republican).

Mr. BROWN: I did not say nor a Republican, because it happens that the Republicans agree with President Wilson in his statement when he says, if a minimum wage were established by law a great majority of employers would take occasion to bring their wage scale as near as might be down to the level of the minimum. In other words, that the establishment of a compulsory minimum wage would not only establish the principle under which a statutory maximum wage could be enforced, which would be dangerous, but the establishment of a compulsory minimum wage would have the effect at the same time that it would officially increase the wages of the lower class of labor to decrease the wages of the higher class of labor, and so Mr. Gompers — I do not know whether this is pertinent, he being a member of the Commission, so that Mr. Samuel Gompers says with reference to this proposition, "I recognize the danger," he says, "of such a proposition. The minimum wage would become the maximum from which we should find it necessary to depart." And he further says, "I fear an attack that has not been discussed and that is, that the same law may endeavor to force men to work for the minimum wage and when government compels men to work for a minimum wage that means slavery." There are other objections to the compulsory law, but lest I should take too much time let me pass on simply to note in an unconnected way certain opinions that I noted as I was sitting at the table.

It is too much overlooked, it seems to me, in the discussions of this question, that what we are after is really the benefit to the community as a whole. Our purposes should be to promote the prosperity of the nation, or if you are speaking from a state viewpoint, of the State, and that means the entire community of the

State. What does prosperity mean? Does it mean the prosperity simply of workers? Does it mean simply the prosperity or increased prosperity of this particular class of workers whose wages do not now equal what it costs them to live? Certainly not. The prosperity which we are trying to work out is the prosperity of the entire community, and that prosperity depends upon the prosperity of its industrial enterprises, and the prosperity, properly speaking, of the laboring classes, both those who are the low class and the low paid, and those who are high paid, all depends upon the prosperity more than any other element of the industrial development of the industries of the State or nation. To say then that a wage or a compulsory contribution would be forced upon employers in industry or in any other employment which takes not at all into consideration what they are able to pay, which does not at all take into consideration the consideration which they received from those whom they are compelled to pay is contrary to any idea of promoting their prosperity. It is, therefore, in my opinion, contrary to the purpose of promoting the prosperity of the laboring classes.

Another point: we have in America to-day, generally speaking, the highest wages of any country in the world, and we have had the highest wages, and on account of those wages the cost of production is greater here than in foreign countries. In order to protect our industries and not have them suffer by the competition of foreign countries, we have put on a tariff. Primarily the reason and the necessity of that tariff, however you may agree or disagree with it, as an economic feature of legislation, the necessity for that tariff is the high cost of production, and that high cost of production is mostly due to the high cost of labor and high wages that are given, and therefore every increase in the wage made tends to create a demand for a higher tariff. In another way, the increased wage, if it is enforced by compulsory legislation, increases the prices because it increases the cost of production through the increased cost of labor, but then again the cost of the product becomes a part of the cost of living, and, therefore, automatically, the cost of living is raised, and again by that prices are raised, and there tends by this principle of minimum wage to be established a sort of automatic lever, at one time raising prices

and at any other time raising wages, that is, raising the wage based on the cost of living. I say it tends to that extent. I am not one of those who say that the tendency is equal to the point of the raise of the wage because of course your products are consumed not only by the laboring class, but by a very large class of people.

But let me call your attention to this, that the compulsory minimum wage is undesirable because if the principle is recognized in this country the same principle will allow our legislators to enact and enforce prices as to all commodities because labor is a commodity. It is a subject of contract, and when you have once established the principle, as I say, of fixing a minimum wage, you have established the principle of fixing the minimum price, you have also established the principle of fixing the maximum wage and therefore the principle of fixing the maximum price. That result I submit without argument is undesirable.

To me the compulsory minimum wage, whether it is advocated or represented by the socialists, is a social menace. I am not going to argue socialism, but I am going to assume that somebody agrees with me that the socialist proposition is not desirable. That is the assumption of my statement anyway. I am not a socialist, and I do not believe in socialism. I do not disbelieve in everything they advocate, but I do disbelieve in the main essentials of their creed. The fundamental basis of socialism, as I am now considering, is a compulsory division between those who have and those who have not. It may be profits, it may be property, it may be something else. Now when you compel one class of people to pay to an employee the difference between what they earn and what it costs them to live, I say that is a compulsory division of property by one class of people to another class.

More than that, when you have once established under one of these statutes a certain specified minimum wage for a particular class of employees that is only a starting point, and the same board the next year raises the figure. When you have taken an employee who is getting \$6 a week and you raise her wage to \$8 a week she increases her standard of living and increases her cost of living. The establishment of a minimum wage tends to increase the standard of living, especially from one viewpoint, but as soon as you get the standard of living increased then you have

to increase the minimum wage to meet that standard, so it is simply a step from a lower to a higher wage on the principle of compulsory division, and it only becomes a short step without changing the principle of such legislation to pass from a mere compulsory division under the guise of wages to a compulsory division, expressly a division of profits and that is exactly the goal to which this sort of legislation would tend, and when you have established that principle there is only a step further to establish the compulsory division of property.

Indeed the minimum wage as now advocated involves in some instances a compulsory division of property, for we are told right from this stand that no matter that an employer cannot profitably do it, and no matter that it makes inroads upon his capital, he must nevertheless pay to his employees subject to this minimum wage the entire cost of their living. If he can pay it out of his profits then he must. If he cannot pay it out of profits then he must pay it out of capital. If he cannot pay it out of capital and continue to pay it out of capital, then it must come out of business. So we have in the advocacy of this measure now this advocacy of socialism displayed—

(After an interruption the speaker continued as follows:)

As I will submit a typewritten summary, for the present I will confine myself simply to two more suggestions which I think will be pertinent. The theory of the minimum wage, whether it is put into legislative form or not, is based upon the theory that every individual as an individual is entitled to receive the full cost of his living. Now, of course, he has to receive it from somebody. The abstract theory upon which this right of the individual is based is that he has a right to receive it from the community, that is, from the public. In other words, and that is the ethical theory announced by Father Ryan and others who have treated the ethical phase of this question—the ethical theory is that every individual, whether employed or not, has the generic right as a human being to receive the full cost of his living, of health and comfort, from the public.

With the contention that by co-operation you could get somebody to contribute this to the employed—by co-operation that can be brought about legally and in a feasible way I have no con-

tention, but why should we say that the employer, the one who happens to have a particular individual on his payroll, should be forced to contribute this difference between what persons earn and what it cost them to live? Take it as a practical business proposition. It does not reason out. Neither does it reason out as a legal constitutional proposition. You might as well say that that difference shall be made up by lowering forcibly by statute the price of the goods that the employee has to buy to live on, and you have as much right from a business standpoint, from a reasonable standpoint, a legal standpoint, as I have, to say that the employer shall pay over to you the amount necessary to buy those goods with, and no more pertinent remark was made than by one of the judges of the Federal Supreme Court the other day in the argument when he said to the attorney on the other side, why does not the State Legislature pay this difference between what the employee earns and what it costs him to live out of the public funds, or why don't you put it upon the farmer or the merchant — just as much reason as to put it upon the employer who happens to have that man on his payroll? The right of that individual to receive a living in health and comfort exists just as much the day he was employed by him, just as much the day before he was employed as it does when you have him on your payroll. When he is not employed who is going to fill the obligation of that right — the public? Why, the day I put him on my payroll is the public obligation transferred to me or to my class?

Just one word and I am through. I have not attempted to cover this matter. These are just thoughts that come to me. I want to emphasize the idea that I take no stock in the suggestion that has been made — I think it was suggested to-day — that the morality of female workers depends upon wages. The immoral female worker is immoral not because she is a worker, and not because she gets low wages, and the classes of those who are immoral are not among those who get the least wages. They are among those whose standards of living and desires and suggestions have been raised to an extravagant degree beyond those of the low wage workers.

The Wisconsin committee of the Legislature made their report about three weeks ago, and said their investigation satisfied them that morals had no connection with wages.

Judge Cutting, of the District Court of Minnesota, in a decision, held that the Minimum Wage Statute of Minnesota was unconstitutional and said: "That if morality depends upon wages then the Minimum Wage Statute, that is, the compulsory minimum wage statute, is an immoral measure because it deprives those of wages who now receive some wages." It throws out of employment a large class of people and puts them dependent upon their own resources for education and strife to reach up to the minimum wage — puts them out of employment — and therefore if wages govern morals the minimum wage statute is an immoral statute. I think that is good reasoning, but let me say that I do not take any stock whatever in the claim that low wages brings about immorality.

By Mr. ELKUS:

Q. Mr. Brown, do you mind if I ask you a few questions? A. I will be very glad, but I do not guarantee to answer anything I do not know about.

Q. You advocate the passage of a law similar to that which they have in Massachusetts? A. If you find it is desirable to have a law, and I must say I believe there are many beneficial features and possibly good results that would follow, that law —

Q. The law of Massachusetts provides for the creation of Minimum Wage Boards which fix minimum wages in different industries? A. After investigation.

Q. After investigation, of course, but there is no means of carrying out the recommendations of those boards except by publishing the facts which they have found and the rulings which they have made? A. That's all.

Q. In other words it is the law without what might be called colloquially a "punch" to it? A. It has a "punch" but not a dungeon cell.

Q. You mean you would not advocate imprisonment for failure to obey such a law? A. No, or any penalty except the natural penalty of not doing the reasonable thing when it had been found out.

Q. So your argument as I understand it is devoted entirely to doing away with any penalty in the law? A. I did not mean that my argument should be devoted entirely to that.

Q. That is one of your suggestions? A. Yes, sir.

Q. And you are assuming, are you not, Mr. Brown — of course I am sure unintentionally — when you say if there is a compulsory statute that the employer must pay the wage to the employee decreed by law — of course no employer is bound to employ any employee unless he wants to any more than any employee is bound to work for any employer unless he wants to, so that if an employee is not able, through lack of efficiency or of ability, to earn the wage which the employer is decreed to pay he can discharge the employee? A. Certainly.

Q. And the only case where an employer would have to pay a higher wage than the employee really earned was where there was insufficiency of competent labor; isn't that it? A. In that way, yes, but not properly speaking. In every employment there are certain classes of work. There are certain classes of work which do not take any very great efficiency. You have to provide for that work being done for what it is worth. Generally that work is in the preparatory stages of the industry and those who can do that work cheaply can thereby still continue to do better work which will gain them more pay.

Q. Eliminating all beginners and learners because for them naturally there would be a different provision? A. There are certain class of workers who can never properly be designated learners or apprentices or minors under these statutes who nevertheless are in the preparatory stages of their work. They are what might be termed full adult workers, but they do not reach that full degree of efficiency necessary for the minimum wage, and as I said a moment ago when the employer raises the wages of the inefficient class of labor he has got to let that work go undone or put into that class a higher paid set of employees so that the effect to him is just the same as though he retained the inefficient employee at the higher wage.

Q. That is not what the employers testified to here yesterday or the day before; that is contrary to their expressions. A. I do not know what the employers said.

Q. I am telling you, and I don't quite follow you, because if they discharge the inefficient they leave the efficient and therefore use the efficient to do the work which the inefficient would have

done and therefore it comes right back to the same proposition, doesn't it, Mr. Brown, that as long as there are people who are competent to do the work, who really earn the minimum wage which may be fixed in any way, then the employer only pays for what he gets? A. There are only two elements at work. There is quantity and quality. Now he has just the same quantity at work he had before he discharged his inefficient employees who were capable of doing the lower grade work. If he put efficient employees with a higher salary upon that low grade work it has the same financial effect upon him as though he retained the lower class workers at a higher wage, except of course he is liable to get better work out of the more efficient.

Q. I do not quite follow your trend; of course we are all very glad to hear you. A. Then if you did not understand me that was my fault undoubtedly. I would like to state it again for I should like to have you understand it. I said if the employer upon whom is put the minimum wage does not want to pay that minimum wage to the lower class workers then he must put upon that lower class work more efficient and higher paid workers so that the amount of money he has to pay, is compelled to pay for that lower class work, is just the same in all practical results.

Q. That is where I do not agree with you, or at least I cannot now; if the more efficient worker does work he does it more efficiently and at less cost even though his wages be higher. We had a practical example given to us yesterday where they told us that in the paper trade they decreased the hours of labor from twelve to eight and wages were not decreased, and yet despite all that the cost of production was ten per cent. less than it had been before. Those were actual facts given to us? A. Of course I was not here then.

By the CHAIRMAN:

Q. Mr. Brown, do you think that an increase of wages to the same individual increases his efficiency? A. I think that ordinarily the tendency would be that way, but it would have more that effect in the higher classes of labor who have ambition, and already some increase of efficiency to feel the benefits of it. I think the tendency would be comparatively small in the lower class of labor as to whom the minimum wage would apply.

By Commissioner DREIER:

Q. In your study have you found that employers know the worth of their employees? A. You mean in my practical experience?

Q. Yes? A. I have found that in many instances they did, to a most unexpected degree, and I found that in other instances they did not to a most unexpected degree. There is more difference among employers than there is among employees. There are the high class of employers who are working out these benefits not alone for the good of the employees but for the good of themselves. They appreciate the fact that increased devotion and care and efficiency helps them, the employers, and that is what this promotion and co-operation I speak of would bring about. It makes a non-compulsory statute helpful and feasible.

Q. The reason I asked that was we found many employers who had no idea of what the employee was worth? A. I think there are many instances of that.

Q. Then you spoke of the country depending upon the prosperity of industrial enterprises and I want to ask you whether you think an enterprise is prosperous if it pays its workers so little they cannot live on it? A. I think in many instances I will agree with you. I was not speaking of any particular kind of enterprises, much less of a factory managed by a particular manager and managed wrong; I was speaking about the general industrial development of the State; that upon the prosperity of that general industrial development depends in general and I think primarily the prosperity of the employee class in the State.

Q. This means primarily the wage upon which they can live? A. Of course the general prosperity of the industry would give them the means, the ability to pay a higher wage, but I think both should be taken into view, the prosperity of the employer and the prosperity of the employee and not start at the employee end and make a forced, arbitrary contribution. It seems to me it won't work out. I think these minimum wage statutes, if they are passed, if they are declared constitutional, which I expect they will not be, I think they will turn out to be as a feasible proposition, unworkable.

By Mrs. NATHAN:

Q. Mr. Brown, may I ask first why you say "an enforced minimum wage put upon the employer" if the wage boards are composed of the employers themselves in equal number with the employees; how would that minimum wage be forced upon the employers since they would have to consent to that wage in co-operation with the employees? A. Theoretically in a utopian community the argument is sound. As a practical proposition I do not agree with the basis of your argument at all. Theoretically the boards are composed of an equal number of employees and employers and a third class supposed to intervene and to be disinterested. As a practical working proposition these boards and these commissions, it has been demonstrated, are in a very large majority working out against the employer and as we believe in favor of the employee.

Q. May I ask when they worked out that way? A. That has been shown in the experience in Oregon. They could hardly wait before they found out whether they could enforce that rate before they put a higher rate on and every move that has been started from the basis of the employed interests — I say in fact it is not their interests but what is supposed to be the employee interests, has gone through.

Q. But they have the representatives of the employers? A. They have representatives of the employers but the representatives of the employers do not control either the Advisory Board or the Commission. The control is from the other side.

Q. How is it from the other side when they have equal representation? A. In most cases they have an equal representation of the employees and employer and a third disinterested person.

Q. But they have to be approved by both employees and employer? A. Yes, and it is a curious fact that as it works out as a practical proposition these boards are employees' boards and not employers' boards.

Q. Then the disinterested people simply favor the minimum wage? A. That is not the idea. They are generally put upon these boards for the purpose of favoring the minimum wage.

By Mr. BLOOMINGDALE:

Q. Would not the legislative assumption of the right to fix the price of labor necessarily imply its right to fix the price of all commodities? A. I started to emphasize that when I was interrupted. I think it inevitably follows that when you have established the power to fix a legislative wage, as in these measures proposed you have established the legislative power to fix the price of all commodities, both manufactured and raw material; you have established that principle and power in the government and I think for that very reason the compulsory minimum wage is inadmissible. Furthermore, when you have created a minimum wage by this enforced legislation you have created the necessity of increasing prices, at least legislative government prices.

MISS PAULINE M. NEWMAN addressed the Commission.

By Mr. ELKUS:

Q. What is your business? A. At the present time I am lecturer for the Joint Board of Sanitary Control and have been connected with the International Ladies' Garment Workers' Union for six years.

Q. We will be very glad to have your views on the subject of minimum wage legislation? A. As a worker in the factories for years and as an organizer of working women for five or six years, as one who has come in contact with the working women in the factories during strikes, in organizations and out of organizations, I favor a minimum wage for working women and minors. I am indeed sorry to have heard some people who represent trade unions or who are trade unionists opposing a minimum wage for women in the State of New York. As a trade unionist I want to say this, that if I thought for one moment that a minimum wage would hurt organization or retard the progress of trade unionism I certainly would not be here at this moment, for I believe too much in organization to solve the problem as a whole to speak for any thing that would retard organization, but I have given enough thought, enough time to the question of minimum wage, and I have come to the conclusion that it will not hurt the progress of organization but on the contrary it may help organization to a very great extent.

As to the necessity for a minimum wage for working women in the State of New York, I only want to say that if I had the time to go into details to describe the lives of the working women, I would gladly do so, but I honestly believe there is hardly a man or a woman of intelligence who needs a detailed description of the lives of a great majority of working women. Any woman or man who goes before a commission and states that it may not be practicable for one or the other or that women to-day after all are getting along on five or six dollars a week — personally I believe there is something wrong with either of them, because it is an impossibility for any human being of intelligence to say that a minimum wage is not a necessity or that it will injure the cause of trade unionism. I have traveled and have been through about sixteen states in the Union; always in connection with trade unionism, always in contact with working women, and I know the lives of those girls, not only from observation but as one of them. I have worked in factories for many years; I have seen the girls live in their dingy rooms; I know how much they can afford for lunch and I know how they are clothed in winter, and I know the pleasures and the enjoyments they have in summers, and so on and so forth. I can give even a detailed report as to what kind of lunches they eat. I know hundreds of thousands of girls to-day whose lunch does not amount to more than seven cents, and if the Commission will permit me I can state what they are eating for the seven cents. I doubt if it is necessary because you can use your own imagination. So as to the necessity of a minimum wage there is no longer any doubt in the minds of intelligent people be they socialists, social workers or merely fair minded people.

They all agree that a minimum wage is an absolute necessity for women and minors. The only question that arises in the minds of intelligent people is as to what that minimum wage should consist of, and that is the question that has occupied my mind for the past few months. I am opposed to an \$8 minimum wage, I am opposed to a \$9 minimum wage. I claim that the working woman in the city of New York, and I speak from experience, please remember that, cannot get along on less than two or two and one-half dollars a day. That would mean twelve or fifteen dollars a week. I suppose some will be terribly shocked with this,

and the papers may take it up, but I stand for not less than \$2 a day as a minimum wage and I will tell you why. When we consider an \$8 minimum wage we think of a girl having food and shelter, a suit of clothes, pair of shoes, etc. So far so good. But a working woman is a human being, with a heart, with desires, with aspirations, with ideas and ideals, and when we think of food and shelter we merely think of the actual necessities to cover her body and to feed her. But what about the other things? Have we thought of providing her with books, with money for amusements, and when I speak of amusements I do not speak of the five cent picture shows, I speak of amusements that a girl should go to — a good drama or refined vaudeville — few think about that. Have you thought about a girl providing herself with a good room that had plenty of air, proper ventilation, in a somewhat decent neighborhood. Do you think of all these things when we speak of a minimum wage? Do you want a girl to have a nice comfortable room? If you want her to have any luxuries and just a little bit more comfort you have got to think of a two dollar a day or two and a half dollar a day minimum. An \$8 minimum will favor her very little and when we discuss the lives of girls let us be a little more liberal; let us not think of a piece of bread; let us not think of a sandwich; let us not think of a breakfast that should cost 12 cents instead of five cents or seven cents; let us think of the working woman as a human being who has her desires to which she is entitled, and when you stop to think we cannot think of an \$8 weekly wage. This is one point.

The second point is that a weekly wage in itself is not sufficient. What about those weeks or those months when the girls are not employed? This is a question that should be thought about. Suppose a minimum wage law is passed and suppose a girl will get \$9 or \$10 a week when she works, but how about the time when she does not work? Should we not consider a yearly minimum wage on the average? I am not prepared to state as to how it can be worked out, but I am sure it can be. Of course the argument will immediately be made as to how an employer can afford to pay when a girl is not working. Well, something could be done by the State. Unemployment insurance has been suggested to-day by Dr. Rubinow. I heartily favor that. Some-

thing can be done if society will take an interest in its members. The trouble has been that society has neglected its members.

Now comes the objection to a minimum wage from both sides, and I want the Commission to understand that the woman who spoke this morning saying "we," meaning organized labor, was not fair because organized labor is divided on the question. Organized labor as an official body has not taken any action in reference to a minimum wage and any woman who speaks as representing organized labor as opposed to a minimum wage does not do the right thing. I am for organized labor and yet I believe in a minimum wage. Hundreds of persons belonging to local and international unions are for a minimum wage because they know from bitter experience that it is a mighty difficult thing to organize those who are at the present moment below the living level. We know it takes years and years to drill into a girl the absolute necessity for organization, the value of organization, and I am not pessimistic. I know that working girls are awakening to the necessity for organization, but how about those trades where no attempt has as yet been made to organize them? What about those trades where perhaps it will take ten years to organize? In the meantime the girls are absolutely starved.

I have a paper here which shows how a girl lives on \$4 a week. She has to give up eating meat for at least two or three weeks if she wants to buy a pair of shoes. Now, what right have I, even as a trade unionist, to say to this girl, you wait and some day you will be conscious of your own power, some day you are going to be organized and some day you are going to gain higher wages through your own efforts. What right have I to say to those girls, even though a trade unionist, wait? Can they wait? From personal experience I say they cannot, and the sooner the minimum wage is fixed the better for everybody concerned.

A great deal has been said about inefficiency. Let me say this, and emphasize it — I do not believe that anybody will be thrown out of employment because of a minimum wage. I will tell you why. No employer and no merchant employs more than they actually need. I do not think a merchant is a charitable person nor that a store is a charitable institution. I do not believe a factory is a charitable institution, and they do not keep people

unless they need them. Now, if they keep people because they need them to produce the work a minimum wage will not make them discharge certain people. They will still have to have the same number of employees, and this argument that it will throw people out of employment I cannot absolutely understand, I cannot follow it.

Now, this morning something has been said about organized working women being opposed to the wage commission at Washington. May I say for the benefit of those who heard the speaker this morning, and for the members of the Commission, that in the State of Washington the Commission has full power to fix the wage, and this was one of the reasons why the organized working women opposed it. At this time we are considering wage boards. That takes away the full power of this commission and places it in the hands of the employees as well as the employers. This is practically the difference, and to bring the same argument without stating the cause of the opposition is wrong.

The opposition from Mr. Brown I expect. I expect the other side to oppose it. I know it would decrease their profits and I do really insist that even if the Minimum Wage Law is enacted we still will have a lot of opposition from the employers. That is natural. I am, however, somewhat disappointed in hearing people who stand for labor oppose this question. I have been long enough with the labor movement and with the working women to know that it will not hurt organization nor will it hurt the women.

Mr. THOMAS P. RYAN, addressed the Commission:

By Mr. SHIENTAG:

Q. Go right ahead, Mr. Ryan? A. Mr. Chairman, I am an old trade unionist. For twenty-nine years I have been in the trade unions in this city in one local. I have attended seven national conventions of my trade and at the present time I am president of the District Council of Carpenters, of this city, although I am not speaking for them. I am speaking from experience. I am opposed to a minimum wage law on the ground that it is not according to economic law. That has been proven in my experience in the trade organization of which I am a member.

Q. You believe in having the union fix the rates — is that the point? A. No, that is not the point. The unions fix a minimum trade rate, and I find out from my experience that is the maximum trade rate. If the minimum is fixed by law it will become the maximum. The difference between fixing it by law and the difference between fixing it by trade unions is the difference in its flexibility. If fixed by law it will not be so flexible as to agree to changing conditions as it would if fixed by trade unions, but the effect is the same. The trade unions under the minimum law cannot enforce that law, and the reason is they cannot provide more work.

I wish to supplement the statement made here by Mr. Benjamin Marsh that these investigations all along this line have not tended to examine into the causes of the conditions that exist. They are trying to make trade law conditions or alter conditions that are the result of present laws and economic laws. In seeking to change the legislation to agree with economic law we are trying to force trade legislation that will try to overcome the economic laws. To my mind that is illogical. A great number of members of my trade union hold the same opinions I do. They are not all the same, but to my mind you cannot benefit the workers of this State through any form of legislation until you first attack privilege. Privilege is entrenched in this State and in this city. The social benefits, the social results of the action of the whole community in this city and in this State and in all States are reflected in the values of land that that community work on and as long as these social results go into private pockets the workers of the State are not going to get the benefit out of them. Employers and employees are under the same economic law and bound by it and what you force out of the employer by any arbitrary measure whatever without first increasing the possibility of greater production will only be a fight that you will have to enter into again and force through again. My full sympathy is with the women and the children and the men that are working under the foul conditions of our present social system. My sympathies are there, but I have to be guided by my experience in regard to what laws shall be made for them. I do not want to have held up to them as a panacea a law that when enacted is going to turn to ashes in their mouths.

Q. What would you do, nothing at all? A. Yes, I would have the laws of this State so fixed that the people of the State could initiate legislation and have it referred to them for their sanction. That would allow of experimentation at any time and prevent any fixed legislation being put upon them that was not good for them. That is the first method by which I would go about it — to get the initiative and the referendum in the State of New York.

Here in the city of New York the real estate interests in this city are getting the benefit of social functions in this city, openly admitted by their principal trade paper in this city — if you will look at the issue of December 26th of the Record and Guide, where they open their editorials with these words: "In the near future the real estate interests of this city are about to reap the benefits produced by the tremendous expenditure of the city of New York in public improvements." The laws of the city, the laws of the State are all being reflected in the values of lands in this city and by the admission of these real estate interests are going into private pockets. That means no work, that means idle land in this city, and that means idle men. Sixty per cent. of the men of my trade to-day are on the street without employment. I ask you how can trade unions or minimum wage boards hold up under those conditions. We find these conditions to-day in our trade and they are applicable to all trades, that when conditions are economically as they are to-day we cannot enforce our laws, we cannot enforce the laws of our union, of our trade. We know they are being broken, but men will deny it, and if you have a minimum wage law will not the employees be forced to enter into secret agreements with their employers. You cannot get them as witnesses because their jobs depends upon their telling an untruth. It is the same way in our trade unions and when we find these conditions, and we know they exist, we cannot get the men who are suffering from the bad conditions that we have the power to create, we cannot get them to act as witnesses for fear of losing their employment.

Now generally trade unionists won't make these admissions, but what is the use of not telling the truth? These are facts that can be proven by the records of our courts. We have courts within our organization for the trial of these cases and the records show

that under present conditions we are filled all the time with men tried for breaking the trade rules, and when times are prosperous these courts are ended. We hardly need the trade unions.

Q. Those are abnormal conditions, aren't they? A. They are abnormal at times. We are under periods of depression at times — sometimes they call it good times and bad times, but the bad times are always due to giving special privileges by law.

By EDWARD RADLER:

Q. Why is it that the rich, successful dry goods merchants of this city are the ones that pay the best wages to the girls? A. Because high wages mean cheap product.

Q. In what way? A. Because the high paid man is the more efficient man.

Q. Why is it that James A. Hearn, John Wanamaker, Franklin Simon, why are these men to-day personally richer than the men who paid these low wages? A. I will answer that in this way: Mr. Tom L. Johnson, the former mayor of Cleveland, said he always paid the highest wages in every craft he ever was engaged in for the reason that it drew to him the best men in that craft; that he did not do it as a philanthropist but as a business man, and the intelligent man to-day does that same thing.

Q. How is it that these concerns by paying these better wages in the stores, how is it that they have reduced the cost of running the stores? A. I answered that in the first instance.

Q. I haven't heard your answer to a question of Mr. Shientag; of course you give your sympathies to the women who are underpaid, but what is to be done with them; sympathy won't go far? A. Sympathy won't go anywheres or do anything, I admit that, but the argument I raised was that what you are trying to do I do not believe will be very effective.

Adjourned to January 22nd, at 10:30 a. m.

HEARING OF THE NEW YORK STATE FACTORY
INVESTIGATING COMMISSION, HELD IN ROOM
305, 154 NASSAU STREET, NEW YORK CITY,
JANUARY 22, 1915, 10:30 A. M.

Present:—HON. ROBERT F. WAGNER, *Chairman*,
HON. ALFRED E. SMITH, *Vice Chairman*,
HON. CHARLES M. HAMILTON,
MISS MARY E. DREIER,
MR. LAURENCE M. D. MCGUIRE,

Commissioners.

Appearances:—HON. ABRAM I. ELKUS, *Chief Counsel*,
BERNARD L. SHIENTAG, Esq., *Assistant Counsel*.

MR. ELKUS: We have to-day, Mr. Chairman, three or four witnesses upon the question before us. Perhaps it might be advisable to say a word. Since the last hearing of the Commission, a number of people have spoken to me about the object and purposes of these hearings, and evidently have misconceived the object. A number have taken the position that the Commission is in some way committed upon this wage question and have adopted the attitude that the Commission has already decided the matter. Of course that is absolutely incorrect. No decision has been made. Others have addressed me and said I see you have decided to adopt the minimum wage of a certain sum. Of course, that is absolutely incorrect, and I take it that in any event this Commission would probably do no more than recommend some kind of a commission, if it did anything, but that nothing has been done should be, I think, publicly stated, so that there may be no more misunderstanding on the subject. The Commission is open to all facts and all arguments on either side of this question, whether they are addressed to the Commission orally here or after these hearings are closed. If they are sent to the Commission in writing they will receive the attention which they deserve.

The first witness to-day is Mr. Brandeis.

[2876]

LOUIS D. BRANDEIS

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LOUIS D. BRANDEIS, Esq., addressed the Commission:

MR. ELKUS: For the sake of the record, Mr. Brandeis, will you be kind enough to tell us a little about yourself?

MR. BRANDEIS: I am a lawyer and have been practicing law in Boston for many years.

MR. ELKUS: Will you be kind enough to tell the Commission what study, if any, you have made of this minimum wage question?

MR. BRANDEIS: I had particular occasion to study this question, acting as counsel for the Industrial Commission of Oregon, in the case brought to test the constitutionality of the Oregon Minimum Wage Law. This is one of the seven State laws involving the power of the Legislature to prohibit the employment of women at wages insufficient to support the worker.

MR. ELKUS: Mr. Brandeis, have you also studied the Massachusetts law creating a minimum wage board or a wage board?

MR. BRANDEIS: I have given it some consideration.

MR. ELKUS: So that you are familiar with the legislation upon this subject throughout the United States, and have studied it so far as it has been enacted in other countries.

MR. BRANDEIS: I have also given that some consideration.

MR. ELKUS: And the effect of that legislation in other countries?

MR. BRANDEIS: I have.

MR. ELKUS: Will you state to the Commission, for the record, what other official positions, if any, you have held?

MR. BRANDEIS: No official position.

MR. ELKUS: The case to which you referred, in which you appeared for the Oregon State Commission, your opponent in that case was Mr. Rome G. Brown?

MR. BRANDEIS: Rome G. Brown and Ex-Senator Fulton of Oregon.

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Mr. ELKUS: The reason I brought that out is that we had pleasure of hearing Mr. Brown.

Mr. BRANDEIS: I think you have heard him since we argued the case before the Supreme Court.

Mr. ELKUS: Now, Mr. Brandeis, with this interruption, for which I hope you will pardon me, the Commission will be very glad to hear you.

Mr. BRANDEIS: Mr. Elkus, I think the Commission has heard so many witnesses and has made such an investigation itself upon this subject, it perhaps might save time if my attention were directed to those matters in which I might conceivably be of some help to the Commission.

Mr. ELKUS: I might say this—I do not know whether you have been informed of what Mr. Brown stated to the Commission—he stated that he was in favor of the enactment of legislation similar to that which you have in Massachusetts, a minimum wage board which would fix, after investigation, wages in the different trades, but without any power, except the power of public opinion and publicity, to enforce their decisions, and he argued at length before us that it was unnecessary and unwise and improper and unfair to have an act passed which would give the decisions of this board the effect of law, and provide some way in which they should be carried out. He said he was opposed to a minimum wage, that is, a fixed wage. He argued at length, and I presume you are familiar with his arguments, against the constitutionality of such a law; he told us something of that but he argued against the unfairness and impropriety of any legislation other than that of the Massachusetts law. We have had a number of employees, some of whom were in favor of the minimum wage, and others who stated that they thought the whole subject should be regulated by the law of supply and demand; that it was unfair and improper for the Legislature to step in and endeavor to force a fixed wage or create some commission by which a wage should be fixed not regulated by the only law which should apply. Now if it suits you, if you will address yourself along those lines, I think you will be able to enlighten the Commission.

Mr. BRANDEIS: I presume the Commission in taking up the subject naturally directed its investigations to these two questions—first, is there an evil? And second, if there is, how shall that evil be remedied? As to the first, I presume from your own investigations and other testimony that may have been introduced here, you must have been convinced that there is an evil; that in the first place women's wages are very low, lower than the amount required for decent support.

In the next place, that wages being so low, they involve danger not only to the women themselves, but to the State; danger to health, danger to moral standards, danger to society and the race. And the inevitable tendency of all this is to lay a very heavy burden of dependency upon the Commonwealth. So that it seems to me there cannot be any doubt as to the first question, the existence of the evil.

As to the second question, what the remedy should be for this evil, if there is a remedy, that alone is a question on which men, it seems to me, may have different opinions. Moreover, assuming there is a remedy we must inquire further whether there are incidents in connection with the application of that remedy, which would make it disadvantageous and on the whole undesirable.

I am convinced that there is a remedy which ought to be applied, that it will be reasonably efficacious, and I am unable to see that there are disadvantages. On the contrary it seems to me that the by-products of applying the remedy would probably be at least as beneficial as the direct advantages of the remedy itself.

Now, as to the questions presented—the objection of employers. I think the main objections of the employers are two-fold. In the first place, they do not want to be interfered with; and in the second place they think this special interference will be injurious to them. That desire in not wanting to be interfered with is a perfectly natural one, but it is a desire which society has to deal with constantly. It has dealt with that subject for over a century in all of the factory laws. There is not an argument adduced to-day against the minimum wage law which was not adduced one hundred and thirteen years ago against the first labor laws; and when you follow down the debates and public discussions in relation to each of the child labor laws, and each of the women's labor

laws which followed a generation later, and the other laws to secure improved factory conditions, you will find precisely these same objections raised. Economically and socially and politically the objections in addition to such arguments are exactly the same. Later in America, constitutional objections were raised in regard to each one of these laws, which are practically the same as those now adduced against the minimum wage law. I am unable to see that there is any difference in principle between a minimum wage law, and a law governing the hours of labor, or a factory safety law or a child labor law or any of the other laws of this character. We set out with the principle, the fundamental policy, not only in the Constitution, but as the fundamental policy of the Anglo-American people, that liberty should not be restricted except in so far as required, for the public welfare, health, safety, morals and general public conditions.

We began by limiting child labor, at the outset limiting it first to twelve hours and then to eleven, and then to ten and nine hours; and then when we found that enough was not accomplished in regulating child labor, we had to pass to limiting the hours of labor for women. There again a generation, considerably more than a generation was required to reduce the hours of labor for women; and at the same time we found we had to provide, in addition to the reduction of the hours of labor, specific times in which women might obtain rest; and then we had to enact all the provisions in regard to sanitation and safety in factories. We found that even this was not sufficient, and, in the interest of the community, we had to protect the wage earners in a great many other ways. We have had to protect them in the different states of the Union, in many different ways, which have been held constitutional by the Supreme Court of the United States, such as the fortnightly payments provided in your own law, and upheld in *Williams vs. Erie R. R.*; the anti-truck laws by which employers who give store orders must stand ready to cash those orders at par; the coal-screen laws, under which coal must be weighed and measured before screening in order to fix the compensation; the employers' liability laws, and recently by workmen's compensation laws.

Now every single step which we have thus taken is a limitation upon liberty of contract, but we have found that such a

restriction upon liberty is just the difference between liberty and license, and the liberty of each individual must be limited in such a way that it leaves to others the possibility of individual liberty; the right to develop must be subject to that limitation which gives to everybody else the right to develop; the restriction is merely an adjustment of the relations of one individual to another.

Now, I think that the objection of the manufacturers to this situation is very largely due to the fact that they have not thought out this proposition, what law means and what liberty means and the rest of it. There is also a failure on their part to think out what the law of supply and demand means. Of course, there isn't any such thing as a law of supply and demand as an inexorable rule. It is an economic tendency, a highly important one and one of the most important of the economic forces; but all the time we see that there are conditions under which the law of supply and demand does not work.

Here in New York we have been made familiar during this war with the fact that conditions arise where the law of supply and demand so absolutely fails to work that we have had to close the stock exchange for three or four months. And other exchanges throughout the world have had to be closed, simply because we came to a point where for one reason or another the law of supply and demand does not work. One reason why the trades union had to come into existence was because the law of supply and demand did not work properly between the opposing forces of the powerful employer and the individual worker. I think it would be found, in talking with men, that half truths expressed in such words as "liberty of contract" and the "law of supply and demand" which people, the business men use but have not thought out, are probably the most important sources of their objections.

A certain number of them raise the very short-sighted objection that their expenses are being increased when the law imposes certain restrictions. I believe that is absolutely mistaken. For years, I had occasion to consider with clients, men of large business, both in manufacturing and merchandising and the retailing of merchandise, the question of the age limit of employees and in other ways the question of the competency of help. Before the minimum wage was discussed and before the question of child labor had been legally prohibited, as it is now, these men had come

to the conclusion that it was uneconomical to employ anyone under sixteen years of age. They were not willing to take into their establishments persons under sixteen, not from humane reasons but because they didn't get their money's worth. They came to the conclusion that the best was the cheapest and that people were simply deluding themselves when they took cheap labor. And they came to exactly that same conclusion, many of them, in regard to what we are speaking of as a minimum wage. They said they would not take into their employ anybody who was not worth at least eight dollars a week, because it did not pay them, and it tended to degrade the efficiency of their establishments.

I am convinced that a minimum wage instead of adding to the expense of an establishment would, after the initial period of introduction, reduce the actual expenses of the establishment. Anything which is of better quality which costs a little more gives a larger percentage of value than a thing that is cheap. It is one of the curses of the poor that they have to buy poor things; and it is precisely the same in regard to human labor and human service as in regard to merchandise.

This will operate in two ways. Not only is the employee worth more but the employer exerts himself to make the employee more efficient.

A very large part of the failure of performance in individuals, the failure to make good, the failure to produce what appears to be "money's worth" is on account of the lack of management, the lack of provision;— people don't take care of things that are not valued. As soon as you make them valuable then they begin to be taken care of. It is true in regard to any animal. A person who has a horse that is really valuable will get more use, more money use, out of that horse, than he will out of a poor horse, because that is the inevitable effect of a valuable thing on the person who has the care and management of it to make him realize its value; on the other hand a man is careless and wasteful of any cheap thing. So too, cheap labor is treated carelessly and wastefully. Nobody would think, for instance, of expecting a good performance from a horse unless the horse is well fed. We don't expect it out of a cow. We know very well that chickens won't lay eggs unless they are well fed. Our attention has been called

to all of this waste in regard to animals which people have studied from the standpoint of economy; and everybody knows the only way is to take care of and to develop to the utmost any living being, whether it be a human being or whether it be a beast.

We do exactly the same even in regard to inanimate things. Profitable land is the land which people take care of, and which they develop. This truth which has been realized by our people whenever they have thought about it is one of the real explanations of our success in America in manufacture, and to a very great extent such success as we have had in agriculture is also largely attributable to it. The fact that wages were high in America is what made us save labor and what made us able to produce as we have. Schoenhof wrote twenty years or more ago on the great advantages of the economy of high wages. He merely expressed what had been the experience of our people. It seems to me that if there was an appreciation on the part of the community of what advantage there really is in handling men, in developing your help, nobody would want to accept anyone who was not worth at least a living wage.

Then the objectors say if that is so, why do you need more than this condition, why do you need the law to make people pay a higher wage when a person who is not worth a high wage ought not to be employed at all?

Mr. ELKUS: Mr. Brandeis, do you mind if I interrupt to ask you questions, or would you rather wait?

Mr. BRANDEIS: Go ahead, at any time.

Mr. ELKUS: What you state suggests something which has been said to the Commission. Some of the employers said that if a minimum wage was established that it would mean the discharge of many employees who were half efficient, not entirely inefficient, but whom now they were able to employ at a smaller wage; that it would mean only the employment of those who were efficient at a higher wage.

Mr. BRANDEIS: Well, the answer to that is two-fold. It would mean probably the discharge of some employees. That would be highly desirable in the interest of the whole number, and to a cer-

tain extent desirable in their own interests. It would lead in many instances to their employment in occupations where they could be more efficient than the one in which they found themselves, and it would be an immense incentive to the employee himself to become more efficient. I think there can be no fact that is more clearly demonstrable through individual investigation than the fact that very few persons attain their full efficiency and are performing 100 per cent of work. Very few perform 50 per cent. I mean a very large portion do not perform 50 per cent. It is not therefore necessarily their fault in the sense in which we use that term "fault." It is very often the result of circumstances. It is the result of the lack of education. It is the result of the lack of adaptation to the particular work in which they are engaged, and particularly the result of a lack of instruction. We assume the moment we take somebody into our establishments and into our stores that they ought to be able to perform the work, and if they do not perform it reasonably well we may declare them incompetent, or at all events, they remain in a very subordinate position. There are very few people who go into any employment who do not need instruction, and the moment that becomes apparent, that the employer has the alternative of either discharging these persons or making them worth the minimum wage, which may be 10, 15 or 20 per cent. more than he is paying, an effort to improve will be made. In some instances the employer will resort to discharge, but in a very much larger number of cases the result will be to make that person more competent and he or she will become more competent by the joint effort of the employer and the employee. The employer will endeavor to create competency, that reasonable competency expressed in the value of the minimum wage, and the employee will endeavor to rise up to the point of competency. "And I think in many cases it would be found that the mere payment of a better wage would mean a rise in the living possibilities, so that the working woman might live better and work better because she lives better, because she eats more, because she lives under better conditions, because she gets more decent living,—all this would increase competency. And it would also increase the self-respect of the individual. Ordinarily with any right thinking person, right-minded employees

there is nothing that increases competency so much as an increase in wages. Treated from the purely selfish standpoint of the employer, a reasonable increase of wages is almost always responded to by an increase in efficiency. It is most deadening to the individual not to be raised, and per contra, a reasonable raise in wage generally results in more than a corresponding increase in efficiency. I think therefore, Mr. Elkus, that the number of cases where there will be a dismissal will be very small indeed, because employers will be reluctant to dismiss a large number and the employee will make a special effort in order that she be not dismissed. But so far as there are individual cases there will be cases which we shall have to take care of, but in the main it would present a condition which is largely temporary. It would be a period of transition, and we shall come to a time when the number of incompetents will probably be very much greater than they are to-day.

Mr. ELKUS: What is to become in the meantime of those who are discharged, the incompetents?

Mr. BRANDEIS: Well, we shall have to deal with that problem as we have to deal with other labor problems. In the first place, we have not found that that occurs in other countries. There are not any special number of persons who can be assigned to that class. That is not an untried experiment. We have had eighteen years in Victoria, and between eighteen years down to a year in the other Australian colonies, and in England, and more recently in our own states. All of these apprehensions in regard to what is going to happen if you apply a minimum wage are entirely comparable to what we were told was going to happen and undoubtedly told with sincerity when we imposed a limitation upon the hours of labor. We were told not only with definiteness but with a perfect volume of most respectable testimony from the leading public spirited manufacturers of Massachusetts thirty years ago, that if we imposed any restrictions upon the hours of labor—horrible things were going to happen; that we were going to injure women primarily throughout the entire Commonwealth, not only injure these special employees but injure women in general, because we were going to deprive them of employment and the employment would go to the men, and that therefore in the in-

terest of the women themselves, and society indirectly, we must not interfere. We were told also that not only would it affect Massachusetts, but it would affect the conditions in Massachusetts generally, because it would drive manufacturers into the adjoining states and into New York. The Legislature had courage, nevertheless, to proceed, and after a series of years when there was further agitation on the subject of the limitation of the hours of labor, the manufacturers secured an investigation into the effects of the law upon women and upon the community. Among the things we had been told was that when you limit hours of labor you reduce wages. The result of a very careful investigation, which Carroll D. Wright made for our Bureau of Labor Statistics, was to establish beyond peradventure that none of the apprehensions had been well-founded; that more women were employed than had been employed before; that they had higher wages and that manufacturing in Massachusetts had prospered not only absolutely but relatively as compared with other states. The immediate effect of that investigation was the adoption of laws regulating the hours of labor in other states; Connecticut, Rhode Island and New Hampshire, and New York followed after that investigation and limited the hours of labor also. It proved exactly the opposite of what it was expected to prove by those who most desired the investigation.

Mr. ELKUS: I might say that it was testified to before the Commission that in the paper trade where they reduced the hours of labor from twelve to eight without reducing the wage; that after a year's trial the cost of production was 10 per cent. less in spite of the wages being really one-third more than they had been before the decrease of the hours of labor; but the answer to that was that it was a skilled trade and the men were able to exercise better care and attention and thus the cost of production was decreased.

Mr. BRANDEIS: I think it might have been replied, Mr. Elkus, that there is no trade that is not a skilled trade or that ought not to be. It has been clearly demonstrated, I think, by those who have studied the possible efficiencies and economies in labor, that the distinction between skilled and unskilled is wholly unscientific and unphilosophical. There certainly is nothing that could be

deemed to be nearer an unskilled occupation than lifting a pig of iron from the yard and putting it into a car; and yet it has been demonstrated by a study of that particular operation that it was possible with the same amount of exertion, or less, to produce four times the former results by knowing how to do it, by selecting the proper man to do it, by teaching him how to do it, and particularly by teaching him how to rest when he was not actually under load. Now what is true of the loading of pig iron has been shown to be true of other occupations which are constantly called unskilled, such as the mere shovelling of coal or the shovelling of dirt. You could pass through the whole realm of human manual occupation and find that the difference between the man who is skilled and the man who is unskilled, or rather the difference between skill and lack of skill, is not in the occupation but is in the man and in the training of the man. And in the same way the performance will be largely dependent not only upon skill but upon the physical and mental condition of the individual. As Lord Brassey said many years ago, it depended upon what a man ate as to what his efficiency was, and the cost of building a railroad was practically the same the world over, whether you paid a few cents or a few dollars a day to your men. You get about what you pay for.

Mr. ELKUS: It has also been claimed here, Mr. Brandeis, that if you have a minimum wage law, that it will probably become a maximum wage.

Mr. BRANDEIS: That I believe to be an unfounded apprehension suggested by some labor leaders. Experience disproves it. The minimum will never become the maximum unless there is uniformity in individual performance and uniformity of performance is contrary to nature. It comes only artificially as when a curb is placed upon production, by restricting output. Men differ and women differ in what they can do and what they will do, if left free to act. When you say to an employer he shall not go below a certain limit in wages, the employer will insist upon getting his money's worth. You may feel perfectly sure that nobody will be employed who is not worth the minimum. But there remains the same freedom to pay higher for better service that exists where there is no minimum wage law. If you shall fix a maximum

wage, you would find that no employee was worth more than that wage; for the employee would limit his output accordingly. But the moment you allow freedom to pay a higher wage and freedom to do more efficient work you will find that the minimum wage will differ from the maximum wage just as it does to-day.

Mr. ELKUS: We have had before us a number of labor leaders, that is, men who occupied official positions in the labor unions of the country, such as John Mitchell, and Mr. Frayne, and others. and they have taken divergent views upon this subject. Some of them have been in favor of minimum wage legislation, and others have been equally opposed to it, upon this ground — that they fear that a minimum wage means a maximum wage, and also upon the ground they think the State should not interfere in fixing wages; but that it should be left to organization of the workers, and that should be sufficient.

Mr. BRANDEIS: Now so far as the first proposition is concerned, I have just expressed my views. I think one could discuss it at very considerable length, but after all there are only two things that you can turn to. One is experience, and I think if you turn to experience you will find it disproves the assertion. I think you will find that if you take the large experience we have of Australia that it has been disproved.

The other matter is a question of judgment. I believe that if at any place and if in any occupation it has been found that a minimum wage, like that adopted by the unions under certain circumstances, becomes the maximum wage it does so only because the union in that particular instance, in that community, discouraged a differentiation in wage. For instance, in the garment trade in this city where there is for the week workers a minimum wage fixed by the protocol, that is only a minimum and in a great many cases the wage goes far beyond that minimum, in some instances 50 per cent., in some instances, 75 per cent., because there has not been, so far as I know, any discouragement of differentiations. You have the same condition in the boot and shoe industry, and in the most intelligently managed unions. You will find the greatest difference in performance, and I believe that that part of the objection, fearing the minimum wage will be the maxi-

imum, is wholly contrary to experience, wherever the differentiations between the capacities of individuals have been allowed to operate. Now so far as the other proposition is concerned, that you ought not to deal with wages, that is a purely arbitrary distinction. There is no more reason in the world why you should not deal with them than with hours of labor. The only theory which justifies at all the limitation upon the hours of labor is that women have not been able in their bargaining power to protect themselves, either because they lack the knowledge of the requirements and yield themselves to the necessity of working a longer time, or because they are unable to cope with their employers. That is the only justification for interfering at all. We interfered because we found they were unable, whatever the reason may be, the employee is unable to compete with the employer in securing that condition which is required by the demands of health and the welfare of the community.

Now it seems to me absolutely impossible to draw any distinction between any of the limitations. Take the commonest limitations that you could possibly think of, the question of sanitary conditions under which people ought to work, that they ought not to work in a place where there is obvious danger of loss of life by fire, and ought not to work in a place where they are going to contract tuberculosis or any of the other diseases due to the general sanitary conditions and lack of ventilation — any person of intelligence, anybody who is a citizen of a free country and has had the opportunities of the most rudimentary education you would say, ought to know enough not to want to work there. Why does the law interfere? The law interferes simply because it was found to be necessary. The law in part is an education; it is one of the methods of enforcing education in these matters, and on the other hand it is a moral support to the individual. It is an ethical advantage and it is a moral advantage which the State has to give. Why should we have compulsory education? It is exactly for the same reason. You cannot possibly, it seems to me, by the logic of facts draw any distinction between legislating in reference to wages and legislating in reference to anything else that deals with conditions of work. We have dealt with these matters in the semi-monthly payment of wages required from railroads, the anti-truck

laws, the coal-screen laws, the laws which give a preference to the wage earner in case of insolvency, the laws which give a lien to the mechanic on his work — they are all instances. There would be no need of any one of these laws if working people were able to make contracts and look out for themselves by contracts; this distinction between such laws is a distinction which has no basis in fact. It is absolutely an unsound basis. I think this question is affected by an entirely different consideration.

Mr. ELKUS: You mean as regards the labor leaders?

Mr. BRANDEIS: As regards the labor leaders, I believe it is this they fear, and I think the fear is entirely unfounded. I think many of them fear that there will be removed the incentive to belong to the union if you protect the worker otherwise. I do not believe that is so because I believe that whatever limitations the law places you will always have a sufficient area for effort in which the union as the instrument of collective bargaining will be required. The more you raise the condition of the worker, so long as we have inequality in position between a powerful employer and a single individual, the more you will require the union for competitive bargaining in order to produce the desired results. I think that fear which actuates them in coming to this conclusion, is also in large measure attributable to a lack of clearly thinking out the problem, just as the employers have failed to think out correctly their objections. Moreover, deductions are sometimes drawn from instances of very strong unions — the strong union which is able to take care of its own people — but among women we know it will take a long while before women can be strong enough to protect themselves through unions.

Mr. ELKUS: It has also been stated here, Mr. Brandeis, that if New York State should adopt some minimum wage law, while New Jersey was not adopting any, that the employers and manufacturers of this State would be placed in unfair competition with New Jersey; that it would cause manufacturers and others to remove from here across the river to New Jersey and adjoining states.

Mr. BRANDEIS: That is an argument with which we of Massachusetts have been familiarized for a generation. I referred to it

in connection with the law governing hours of labor but we have had it in respect to almost every labor law that dealt with the labor problem and there never has been an instance in which it has been shown that any manufacturers removed.

Mr. ELKUS: Of course, I may say that has been stated to us with reference to all our factory laws. It has always been a threat.

Mr. BRANDEIS: It is a threat which is constantly made and is constantly disproved after the law is in operation. I think one might add that if any other community were willing to accept persons whom the State had to support the general conditions in that State would become such, through increased taxation and through the inefficiency of the community, that very soon they themselves would have to adopt protective measures under less favorable conditions.

Mr. ELKUS: Some of the manufacturers or employers said that if a minimum wage law was adopted it would mean they would of course comply with the law, but that it would mean that the increased cost which they said would ensue would be borne by the purchaser, the consumer; in other words, a minimum wage would mean that it would cost more to the ultimate consumer for each article that he purchased.

Mr. BRANDEIS: The first answer to that is that it would not, and I believe that is a complete answer.

Mr. ELKUS: It isn't so?

Mr. BRANDEIS: It isn't so. If it were so, if it cost more to make or distribute the article then there would be another answer; but that does not take into consideration the increased taxes in the community for the support of dependents. It is perfectly clear that every time conditions arise such as have been described here, and while a large portion of our people are living and are obliged to exist on inadequate food, improperly housed, these improper conditions will increase to a very much greater extent the burden of the dependent classes. Nobody can undertake to study these figures of the increase of appropriations for the dependent classes without a sense that we are carrying on the whole conduct of our community in ways which are dangerous to the continued progress

of the community. The growth of the dependent classes which we are producing by just such conditions as the minimum wage law is endeavoring to remedy will become so great that society cannot bear it. We cannot by any process, by public or private charity, carry the load that we are creating by our industrial conditions.

Mr. ELKUS: In other words, if less wages are paid than are sufficient to properly support those who receive them, or even if they work under conditions which are unsanitary, the burden eventually falls upon the State, and it must be not the original price that would have had to be paid, but two or three-fold.

Mr. BRANDEIS: They do. They will pay that price not only with compound interest but with compound interest at pawnbroker's rates.

Mr. ELKUS: Then as I take it, you think these measures along the line which the Commission has been recommending, which have been passed are to the economic benefit of the State?

Mr. BRANDEIS: Very much. In fact, I cannot see how anyone looking at it purely from the standpoint of the State, as a question of balancing the accounts of debit and credit, can feel other than the gravest apprehension at the increase in the cost of the dependent classes. If you put in the office of the State Comptroller, or in the office that has to make a study of the State budget, any great manufacturer and ask him to study the results of the last twenty years of the dependent classes, the great manufacturer would at once say "there is something radically wrong, let's see what it is." And when he undertook to see what it is and followed it out, I am convinced he would find that we have by our economic laws, by the industrial system which we have been allowing to exist, been creating these increases in taxation.

Commissioner DREIER: Mr. Brown said that if the State established a minimum wage there was no reason why it should not establish a maximum and that that doubtless would follow.

Mr. BRANDEIS: It does not seem to be very probable that it would follow. I see very little reason to suppose that it would follow. I could conceive of such a condition of things if you had a complete monopoly; if some small body of men had a monopoly

of all labor, the great body of consumers in the community might conceivably undertake to break that monopoly; but it does not seem very likely that is going to happen. That has not been the character which labor has played.

Commissioner DREIER: He also stated that the courts would be able to force workers to work for the wages stated.

Mr. BRANDEIS: I think you would have to change the Constitution before that could be done. There is no danger of its coming about, as the courts have uniformly held that under the Constitution there is no power to compel anyone to work — there is not only no contract that can do it but no law that can do it.

Mr. ELKUS: One manufacturer said that if we established a minimum wage law there ought to be established a law fixing a profit for his merchandise, that is the government ought to guarantee him a minimum profit for his merchandise.

Mr. BRANDEIS: The government does not undertake to guarantee any minimum profits. It does not even undertake to guarantee a profit to a public service corporation, and yet it undertakes to limit its charges.

Mr. ELKUS: He thought that if one were granted the other ought to be granted, that they were correlated.

Mr. BRANDEIS: I think that all these arguments are very much like the argument about liberty of contract and law of supply and demand, instances of inexact thinking, the failure to recognize the fundamental reasons for a distinction.

Mr. ELKUS: Do you believe that there should be a minimum wage law affecting only women and minors, or should it affect men as well or other minors?

Mr. BRANDEIS: I think it should be limited at this time certainly to minors and to women. No law limiting the liberty of contract ought to go beyond the necessity. There is no logic that is properly applicable to any of these laws except the logic of facts. We have no ascertained conditions at the present time which call for this limitation upon the freedom of contract of men. In a great many instances the union has been able to take care of that.

We have not found it necessary in a great many employments to fix the hours of labor for men. In some others, we have been obliged to do it. But to-day the need exists only in the case of women and minors.

Mr. ELKUS: What do you think of limiting it to minors?

Mr. BRANDEIS: Oh, I think that would be dealing precisely as England dealt with the subject of the hours of labor. The immense loss of time brought upon them very great evils as the result of waiting about forty years, between the first law limiting the hours of labor for children and the hours of labor for women. The very striking fact is that the last legislation we have practically had on this whole subject of factory labor presents practically nothing more than what an enlightened manufacturer, Robert Owen, knew one hundred and twenty years ago. The striking thing is when you go through these discussions, that we have not learned by experience. All we have been doing is finding out what we ought to have seen, what any man taking the facts, taking experiences as they showed themselves in the factory system before the year 1800, ought to have known was going to happen. Owen did know, and he thought that if he once demonstrated that the horrible conditions then existing in regard to women and children in the factories were not only inhuman, but were unwise from the manufacturer's standpoint, that people would follow his example, and that legislation would not be necessary. He thought that demonstration was enough and he demonstrated, but it did not make any difference. He made his experiment. He was more successful than his competitors. But people did not learn, because education was not sufficiently potent and every forward step that has been taken in England has been taken at a fearful expense of time and of life and of money; it seems to me we have had enough experience after a hundred and twenty years to act.

Commissioner DREIER: From that point of view, it would be desirable to have a law, if a minimum wage law were passed here, with teeth in it for the delinquent employers?

Mr. BRANDEIS: You mean by that the distinction which I understand Mr. Brown drew between a law that would give what he

calls compulsory powers to the State as distinguished from one that is recommendatory.

Commissioner DREIER: Yes.

Mr. BRANDEIS: I should have very little doubt that it was highly desirable in the State of New York to adopt a law with compulsory or prohibitory powers. That fact that we in Massachusetts have adopted a law with recommendatory powers is to be explained rather on local grounds and historically. We in Massachusetts in the past have been a community differing radically from most of the communities of America. Until within a comparatively few years almost any law in Massachusetts that existed was self-enforcing. It was partly due, I think, to the fact that the community was a homogenous community. It was partly due to tradition, partly to the old puritanic sense, and very largely to the fact that the community was small. The law there was in the main an expression of the concensus of opinion of the people, and when once that was expressed, it was adequate. This was the case, and had been true for a very long period. You can see the difference between conditions in Massachusetts and New York or many other states by our experience with the franchise tax. Long before you here — we had a franchise tax upon our public service corporations. You afterwards had that tax. It was much contested in the courts and ultimately, I think, in the Supreme Court of the United States. As I remember the amount of money that was held back by your corporations for that was about twenty millions of dollars. I made a study of this matter and found that the amount which our public service corporations had failed to pay in their franchise tax, at the end of the period within which it was to be paid, was fifteen hundred dollars. In Massachusetts, I think we were the first in this country to introduce a public service commission or railroad commission as they then called it. For a generation our railroad commission had no power except the power of recommendations, because a recommendation that came from that commission was accepted as a rule of action on the one hand by the public service corporations and on the other hand by the people. It was sufficient to have a public declaration of what ought to be. The same thing was true in a very great

measure in regard to our factory laws. We did have some provisions and we had a few inspectors but for a very long period of time, in the earlier period with which I was familiar, the laws enforced themselves. A change has come in Massachusetts. We found it necessary, largely, perhaps, because of the entrance of those accustomed to different conditions into the control of our public service corporations within two years or a year and a half to change our railroad law which had also recommendatory powers and to give powers such as you have here. The people have changed and the people who controlled industry have changed; we have no longer the same conditions. It is partly because of the influence of other communities, and partly because of the great change and growth of population and change in the character of population. Undoubtedly in most respects, and I am inclined to think in this respect also, we find that our old traditions in regard to legislation being suggestive rather than prohibitory or compulsory will not be adequate. But it seems to me perfectly clear that in any state where those peculiar Massachusetts traditions do not exist, I think they do not exist in New York — there must be power to enforce the law, and I see no justification whatever for the distinction which Mr. Brown is drawing in favoring a law like Massachusetts and in opposing a law like Oregon, or what is suggested for New York. Everything is the same up to the point as to whether you are going to have power to enforce your law.

Commissioner SMITH: Is the Oregon law mandatory?

Mr. BRANDEIS: Yes.

Commissioner SMITH: What was the constitutional objection raised?

Mr. BRANDEIS: The objection raised by Mr. Brown is that it was mandatory, that it was a limitation upon the right of contract and upon the liberty of employer to contract to employ the person and the employee to contract to work.

Commissioner SMITH: What particular part of the Oregon constitution did he feel it came in conflict with?

Mr. BRANDEIS: As to the Oregon constitution, the Supreme Court there was against him, so he is foreclosed on that propo-

sition; but there is a similar provision in the Federal constitution guaranteeing liberty of contract. I can see no difference whatever between infringing the liberty of contract with respect to the hours of labor and infringing liberty of contract in respect to a minimum wage.

Commissioner SMITH: Are you familiar with our constitution here?

Mr. BRANDEIS: I have some general knowledge of it.

Commissioner SMITH: Do you believe that a mandatory minimum wage law would be constitutional?

Mr. BRANDEIS: I see no reason why the same rule should not apply here in this respect as is applied in Oregon and Massachusetts. That is, you have no provision other than the general provision, namely, the fundamental right of liberty of contract. Now liberty of contract means such liberty as it is not necessary to curtail in the public interests. Your constitution is not any different in that respect, but is the same as the constitution in all the states practically, and the constitution of the United States. If the Supreme Court holds that the Oregon minimum wage law is valid under the Federal constitution, it certainly ought to be held valid under the constitution of every one of the states also. The proposition is just the same.

Commissioner SMITH: But the greatest number of the actions that are begun to test the constitutionality of regulative laws of this State are brought under the provision that you may not have in a State as young as Oregon, and that is the "due process of law" that has been stretched to mean almost anything.

Mr. BRANDEIS: No, the due process of law clause was raised in the Oregon case but it was abandoned. It was eliminated. The clauses providing due process of law and equal protection of the law were practically abandoned.

Commissioner SMITH: In pretty nearly every case in this State where the Court of Appeals has sustained the right of the State to enforce this kind of regulation they have placed it on the particular ground of the State's exercise of its police power and in the

interest of the public welfare; do you suppose that could be urged as a reason for minimum wages?

Mr. BRANDEIS: I think it is the ground on which the minimum wage stands. I hope it will be found unassailable. It is only in the interests of the public welfare, health, safety, morals, that any restriction upon the liberty of contract can be justified, and what is a justification where it exists. Now Justice Hughes put this very question to Ex-Senator Fulton when he was closing the argument which had been opened by Mr. Brown. He said "How do you distinguish between limiting the hours of labor and limiting the minimum wage at which a woman can be employed," and I think Senator Fulton found it was impossible to draw any distinction.

Commissioner SMITH: You know, Mr. Brandeis, we had to amend the constitution to pass the Workmen's Compensation Act.

Mr. BRANDEIS: It is possible that judges might take a somewhat different view of the situation. In other states and in other courts it might not be found necessary to change the constitution. The lower courts have responded in the most promising way to a better presentation of these social and industrial problems which have arisen within recent years, and they have responded in the only way in which they ought to do so, that is, through an understanding of the facts. I think it will be found perfectly clear that the attitude, the earlier attitude of the Court of Appeals and of the other judges was due to the fact that they theorized on the subject instead of drawing inferences from the existing facts.

Mr. ELKUS: That was expressly stated in the decision case in the night work case by the Appellate Division. They overruled the Court of Appeals in the Williams case.

Mr. BRANDEIS: I think this ought to be understood in regard to the expression you used, Mr. Chairman, i. e., mandatory act. I think it would tend somewhat to clearness of appreciation of the constitutional questions involved if we should call that a prohibitory act. We are perfectly accustomed to a prohibition by law of various things. We prohibit a child under fourteen from working. We prohibit men in many instances — a person who has not

had a certain qualification from attending an elevator, and we prohibit many other things which the public health or safety or morals demand. We prohibit the doing of things without certain requirements. That is what you are doing here. You say to employ women at a wage which is insufficient to sustain them is a danger, and therefore we prohibit that danger just as you prohibit a building without proper safety devices, a building without proper sanitary conditions, or an inexperienced person operating an engine. That is all you are doing here. It is simply prohibition. You are protecting against a danger. Mr. Brown would use the term mandatory or use the term compulsory by saying you are compelling an employer to pay an employee a certain amount of wages. You don't do any such thing. The employer is absolutely free whether he will employ a woman or not, just as he is free in respect to any of the other operations. Take the same provisions in regard to all your building regulations. You don't compel a person to build; you merely prohibit his building unless he will comply with those conditions which the health and safety of the city demands, and if that thought is kept clearly in mind all of the objection to this law as being mandatory it seems to me will disappear.

Mr. ELKUS: I have been requested to ask you this question; would not the limiting of it to women and children drive out women in some lines and have them supplanted by men?

Mr. BRANDEIS: It might in some lines, but if it did we would have to accept it. It would not in many lines, and it would not be a serious proposition. That is exactly the objection we have faced when we have limited the hours of labor for women. Our opponents said that men would be employed instead of women and in some cases they were, but women were employed in many others. You cannot make any change, any improvement without having some readjustment, and the net gain has always been very great in making your readjustment.

Mr. ELKUS: Have you considered and studied the facts, have you any conclusion as to whether or not vice or immorality among women is affected by paying them less than a living wage?

Mr. BRANDEIS: I have no definite knowledge on that. I can merely draw inferences from certain data which has been collected,

but I think it is perfectly clear that the general social standard is very much affected and morality is affected by general social standard. It can't be otherwise.

Commissioner DREIER: I was asked to ask you a question, Mr. Brandeis. You said that the individual employer would profit by the minimum wage but that there would be a time of transition during which the inefficient worker would become efficient; would that be a very heavy burden?

Mr. BRANDEIS: I do not think so. Individual concerns have done this very thing. In Boston a few years ago, Mr. Filene voluntarily determined that they would not have anybody there who was not worth eight dollars. I am not inclined to think they lost any money by it, nor that they lost very many employees, but they saw to it that those who were there, the employers themselves saw to it, that they were worth eight dollars. It is not a matter that is any more significant and is to be treated as a good deal less significant, than many additional burdens that are involved in readjustments from year to year, necessitated through laws or otherwise.

Mr. ELKUS: Thank you very much, Mr. Brandeis.

Professor MATHEW BRAND HAMMOND addressed the Commission:
By Mr. ELKUS:

Q. With what institution are you associated? A. Member of the Industrial Commission of Ohio, and Professor of Economics in Ohio State University.

Q. And you have considered this minimum wage question very carefully? A. I made a study of the operation of the minimum wage laws in Australia and New Zealand.

Q. You have studied the effect of these laws in those countries? A. Yes, sir.

Q. Now, we will be very glad, Professor, to hear you upon what you discovered and any suggestions and views that you may have to give to the Commission? A. Mr. Elkus, I should be very glad if you will help direct the inquiry along the lines that you particularly wish.

Q. What we would like to know is this: it has been claimed that a minimum wage law produces certain results; that inefficient people, women, if the law applied to women and minors also, would be thrown out of employment; they would be discharged; that in many cases men would take the place of the women if the law only applied to women and minors and that the increased cost if the minimum wage law was complied with would be placed upon the consumer, who would get no benefit from it in any way, but it would certainly increase the cost of each article purchased; we would be very glad to have you describe perhaps first what the laws of New England and Australia are with reference to the minimum wage, is there a fixed sum or is there a commission which fixes a wage in each trade? A. There are three methods by which the minimum wage law is established in Australia and New Zealand. To a certain extent it is a statutory minimum wage. That is found in the factories act of New Zealand, and practically all the Australian states, and was intended for one purpose only. It was found that in a number of cases manufacturers in the clothing, millinery, and similar trades, were taking on apprentices, taking on beginners under the guise of teaching them a trade, and were paying them no wages whatever, and the statutes now provide that not less than a certain sum — the sum varies from half a crown, two shillings six pence, in Victoria, five shillings in New Zealand, and I think in one of the Australian states, and in New Zealand in some states it is also provided that that statutory rate shall be increased a certain number of shillings each year until, in New Zealand, the statutory minimum may be as high as a pound a week in the case of a worker twenty years and over.

The second method of minimum wage regulation and this is the method which most people have in mind when we speak of a minimum wage is the sum which is established through wage boards. A wage board is a compulsory conference of manufacturers and employees. Their method is that of the trade union, collective bargaining, the only difference being that a chairman is usually selected, if the parties can agree, by the representatives of the manufacturers and the representatives of the employees, and if they fail the chairman is then elected by the government to

preside over that board, who will cast a vote if it becomes necessary to do so.

The third method is the method of compulsory arbitration and in this case the fixing of a minimum wage is incidental to the establishment of conditions under which an industrial dispute is settled. Now the compulsory arbitration method was introduced in New Zealand in 1894, and the wage board method in Victoria in 1896. Both of these methods have been copied in other states. South Australia adopted it in 1900, New Zealand in 1898, New South Wales adopted the compulsory arbitration method in 1901, and West Australia the same year. However, there has been a tendency towards the approaching of the two methods. In New Zealand now a conciliation council first passes on the questions in dispute and the conciliation council is in its make-up very much like a wages board with the exception that the chairman has no casting vote, but if the two bodies cannot agree the case automatically goes to the arbitration court. In New South Wales in 1908, they engrafted wages boards on their compulsory arbitration law. However, a wages board method is a conciliation method. A compulsory arbitration method is a judicial method, and the wage board method is a compulsory conference of employers and employees. The wage board is also dominated by the arbitration court.

In 1912 when I left that country in both Queensland and South Australia they had introduced compulsory arbitration, still preserving their wage board, and as I say, that is going to change to an extent the character of the legislation. It means that compulsory arbitration will now be the wage feature, so that Victoria and Tasmania are to-day the only states that have the wages board in use.

Q. Will you tell the Commission what has been the effect from your study of the working of the minimum wage in those countries? A. The wages boards were introduced, and the minimum wage law, which is by the way, not a separate law, but part of the factories act, was enacted for the purpose of preventing sweating and limited at first in Victoria to six trades that were found to be highly sweated. The success of the law was such that in 1900, Parliament provided that it might be extended to other trades,

permission having been secured in each instance from one or both houses of Parliament, and the states that have followed Victoria in general were influenced much by the same feeling that there were conditions in certain trades which they desired to remedy — low labor, coupled often times with long hours and frequently with a considerable amount of home work, so that the incentive in all of the wage board states, was you may say, the desire to prevent sweating in the first instance. However, the legislation in all those states has passed beyond that and we now find wages boards in trades where there never was any suspicion of sweating. As to the success of the law in accomplishing its original purpose in preventing sweating I think there can be little doubt that it did accomplish that purpose. Investigators, those that visited Australia in the first years, the first decade of this century, were somewhat doubtful as to ultimate success. They found that in those trades in which the boards had first been introduced the sweating had been greatly decreased but were unable to say that it had actually been checked. I do not think that any investigator going to Australia to-day in the states in which the wage boards have been in existence for any length of time would be able to discover any considerable amount of sweating. There is an organization which was largely responsible for the enactment of this law in Melbourne known as the Anti-Sweating League, and the same gentleman is now secretary and chief guiding official that was the official at the time. He tells me that sweating — Mr. Samuel Major, Jr. — Mr. Major tells me that sweating has disappeared except possibly now and then a few sporadic instances, and that the anti-sweating league remains in existence to ferret out these cases as well as to endeavor to secure effective administration of the law. When the minimum wage law went into effect in Australia it did not cause the discharge of any great number of people from their employment. There was a discharge of individuals in certain trades. To what extent the legislation, the minimum wage, was responsible, and to what extent it was due to other circumstances, it would be difficult to determine. For example, one of the trades in which the wage board was first introduced was the boot and shoe trade. It happened that at the very time the minimum wage was introduced the newer Ameri-

can machinery was being introduced into those trades and a considerable readjustment, of course, came about. There were certain people who lost their positions in that trade.

Q. What became of those people? A. There were not a great many of them. This discharge of operators is of course going on in every industry. We have in many industries what they call the dead line, and when a new piece of legislation is adopted it calls sharp attention to this, and so it is said this discharge was due to the new legislation, whereas had their attention not been called sharply to it, as being due to any particular thing before it would be difficult to say it had anything to do with it. To a certain extent some of them start small shops and others find their place in other trades. However, in all the Australian legislation provision is made for the old and the infirm.

Q. What kind of provision? A. They may secure a permit upon application to the factory inspector to work at a rate less than a minimum, but not less than an amount stated in the permit.

Q. And the Commission fixes a minimum in these particular cases? A. There is no Commission.

Q. Who fixes it? A. The factory inspector. In some cases the wage board is given the power to fix that.

Q. What was the effect on the cost of the article; did it increase the cost to the consumer? A. There is more or less difference of opinion about that. It tended to in some cases. Where there had been very great competition and much home work prices had been forced by the sub-contract method to very low levels and one of the purposes was by forcing employers to pay higher rates to shift the burden of these high rates upon the purchasers of these very low priced articles. I do not know that in most factory industries it could be said or shown that there had been any definite increases in the price. You know, of course during the period that the legislation was in effect we have had the world over a period of rising prices, and how far rising prices have been due to any particular form of legislation or other economic causes no man is able to state. In a few local industries, distinctly local — for example, I was in Melbourne — the restaurants, the cheap restaurants, patronized largely by the working classes, that had been charging six pence a meal raised their rates

to a shilling a meal, just double, and that came a few months after a new minimum wage had been established, and it was said by many of the restaurant proprietors that they were forced to do so by the legislation and it may have been a contributing factor, but inasmuch as the wages had not been anywhere near doubled, some ten per cent. increase or something of that sort, it would be difficult to attribute it to that. The fact of the matter was, that was seized probably as a particular moment to raise the price of meals which ultimately would have come anyway.

Q. Was there any combination among the owners of restaurants, or was this an individual act? A. Of course, the employers are pretty well organized. The legislation has helped in both the organization of employers and employees, and quite likely it was done by a tacit understanding as it was all done on the same day.

By COMMISSIONER DREIER:

Q. I want to ask you as to the effect of this law on trades unions; some of the trade union advocates have said here that it injured the trade unions over there, and that our belief that it has increased organization was untrue? A. Compulsory arbitration has acted as a stimulus to trade union organization. This is the report of the Commonwealth Bureau of Census and Statistics, and here is a table which gives the percentage of male and female unions, the estimated total number of male and female employees twenty years and over in all professions, trades and occupations from 1891 to 1912. In 1891 the total number of unions was 124 with a total membership of 54,888. In 1896, this was the year that the first legislation was enacted, the minimum wage legislation in Australia, in 1896, the number of unions had grown to 134, and the membership to 55,066. You see it is almost stationary during those five years. Between 1896 and 1912 the number of unions had grown from 134 to 621, and the estimated total membership of all unions from 55,066 to 433,224.

Q. About eight hundred per cent.? A. Yes, sir.

By Mr. ELKUS:

Q. Are you able to give us the comparative figures in this country for the trades unions? A. No, I am not.

Q. Now, from your study of the subject in Australia will you tell what you would consider the effect of the minimum wage, first upon the discharge of employees, and second upon the increased cost to the consumer? A. The factory inspectors are unanimous in the belief that there has been no considerable discharge of employees. The manufacturers say they think that there has been more than the factory inspectors say. I am inclined to believe the manufacturers are right, that the number of those who lost their positions by reason of the minimum wage has not been entirely revealed by application of permits to the inspector. There are many, many factories who will not discharge their own workers but who will not take permit workers. The very possession of a permit brands that worker as not having the normal degree of efficiency, and it might not have occurred to them if a man applied for work — I wish to say that in Australia the minimum wage applies to men as well as women — it might not occur to him to give the man a trial, but if they have a permit they hesitate to take them on.

Q. What has become, according to your study, of those people who have been discharged? A. I was not able to find as I said a moment ago that there had been such a considerable number of discharges that it was possible to say what had become of them. Some of them are old and are cared for by their friends. They have old age pensions in all the Australian states to-day and some of them doubtless entered other occupations.

Q. Now, Professor, based upon your study of the conditions in Australia and New Zealand, would you not or would you recommend some minimum legislation for the State of New York? A. I would recommend minimum wage legislation in any state of the Union which has a considerable number of low paid laborers provided it could be done through a wages board, and not through a statutory wage, and not by a general commission, such as is found in Oregon, Washington and some of the other states. In my opinion it is desirable to make this method approach as nearly as possible to the collective bargaining practiced by the trades unions as can be done, and for that reason I think it is a mistake in the states that have adopted minimum wage laws that they have provided for any considerable representation of the public. In

my opinion, the only person outside of the employers and employees who should be on a wage board is the chairman, and he is there from necessity. There would be times that the board would break up and disagree unless he was there to give the casting vote. If he is a tactful chairman he will be able to secure an agreement between employee and employers in a great many cases on most of the points at issue. When the public is represented, public sympathy is pretty likely to run with one side or the other, and in many cases where they haven't actually low rates they would act with the employees and the rates would be raised. Rates should be adjusted to conditions, and for that reason it seems to me it is better for a conciliatory method to be pursued by the employers and employees themselves.

Q. How long were you in Australia? A. About seven months.

Q. And your testimony is given from an actual personal study of the matter? A. I carried on my investigation in the chief factory inspector's offices and by the chief factory inspector I was given permission to interview the people chiefly concerned, either the people interested in the legislation or administration of the law, manufacturers and trades unions.

Mr. ELKUS: Thank you very much.

Mr. SOLOMON G. ROSENBAUM addressed the Commission.

Examined by Mr. ELKUS:

Q. You are the president of the National Cloak and Suit Company? A. Yes, sir.

Q. Your business is what? A. Our business is the selling of wearing apparel by mail.

Q. You manufacture it first? A. We manufacture very little. We conduct really a department store by mail or a specialty store, selling everything by means of a catalogue.

Q. And how many people do you employ? A. About three thousand.

Q. And what are they mostly doing? A. A great many clerical workers, making out orders, filing papers, answering correspondence, attending to the various details of work of that kind. A mail order business represents a very large number of small transactions.

Q. Where is your business located? A. Seventh avenue, Twenty-fourth and Twenty-fifth streets, this city.

Q. You also do manufacture some articles? A. In a very small way, women's suits.

Q. Mr. Rosenbaum, have you yourself established a minimum wage in your own establishment? A. Yes, sir, we have a minimum wage of six dollars. We employ no one under seventeen years of age and we pay no wages less than six dollars.

Q. Have you adopted both those rules because you find it tends to produce efficiency? A. That was the primary object. We found that one of the greatest difficulties we had to contend with was the fact that the young women and men who came to us for employment were improperly educated, improperly trained. I have here a statement from Mr. Churchill, president of the Board of Education, in which he tells of some six hundred thousand pupils of the public schools with only about four thousand graduated from the high schools, and it was that condition we met some years ago. We found that the girls and boys came to us and they had not even the rudiments of an education, could not spell properly.

Q. You mean they could not spell? A. Could not spell properly.

Q. Could not add? A. Could not add or subtract.

Q. Were they graduates of the public schools? A. In some cases they were graduates of the public schools, and in some cases had gone through some of the grades of the high schools. This is not a reflection on the public school system. It is a reflection on the people themselves. They were not ambitious.

Q. Have you ever investigated among your employees as to whether or not they were able to live on the wages which were paid them? A. We have done this, Mr. Elkus, in taking on an employee, we ask a certain number of questions, try to find out how many wage earners there are in the family—in fact, we do find out—we find whether the employee is living at home or whether she is boarding. If she is living at home, we find out whether her father is living, or whether she has older brothers and sisters who contribute to the support of the family, and try to conduct ourselves accordingly. It is very difficult to say what is

a living wage. Six dollars might be a living wage for a girl who is one of four or five wage earners. Ten or twelve dollars may not be a living wage for a girl who may be the main support of the family.

Q. Have you ever ascertained whether six dollars was a living wage for one who lived alone and did not contribute to the support of somebody else? A. I should say six dollars was hardly sufficient to live alone in New York city, that is for a girl to live alone, I should have said that in the beginning, less than ten per cent. get the six dollars a week.

Q. And ninety per cent. get — A. Ninety per cent. get more than six dollars, possibly ninety-five per cent. get more than six dollars.

Q. How old would you say the oldest girl was that received six dollars a week? A. The thing is not regulated by the matter of age. It is regulated altogether by her ability, by what she can do.

Q. How about length of service in your employ? A. Length of service has very little to do with it unless the girl or boy can show that he or she has ability to advance. We do go over our list of employees every year. We feel that if any employee has not advanced once a year it is either our fault or their fault. If it is their fault we want to put them in a position where they can advance.

Q. What have you done, if anything, in your own business, Mr. Rosenbaum, to train your people, to educate them. A. We have established a school in which we have a principal and twelve teachers. Two of these teachers are supplied by the Board of Education of New York city. The other ten and the principal are paid by the company. This school occupies about seven thousand five hundred square feet of space, an entire floor in one of our buildings, and in the school we endeavor to train the people to do our work properly and to be in a position to advance and to earn more money. I might tell you if you have the time to hear it just how we go about that. When we are in need of new people we try to take on only people for the lower positions, for the six dollar positions. If we have an opening for a ten, twelve or fourteen dollar girl, sixteen or eighteen dollar girl, we try to get those girls from our own ranks. A girl coming in for six dollars

a week might do filing work. She is sent to the school first, but before that she is selected by the employment superintendent from all the applicants that answer the advertisement. If he considers that she is capable of taking a position he sends her then to the school and then she has to undergo an examination. Would you care to hear just about what that examination consists of?

Q. Yes? A. I brought with me here a few examination papers selected at random. First she is asked to copy a few sample sentences, the idea being to see first of all if she is accurate, and second to get an idea of her penmanship. The sentences are very simple. I will give you one of them: "On one side of the door is the sign push; on the other side pull. There are some people who are always on the pull side waiting for pull to take them up their ladder of success. Those with push go ahead, and so forth." That is designed to get an idea of her penmanship, and secondly to see if she is accurate in copying. She is then given a list of twenty words, some of which are misspelled, and she is asked to indicate which of them are misspelled, and show the proper way of spelling them, such words as shipping, believe, disappoint, proper. She is then given a few examples in simple arithmetic. She has to add a column of six or eight lines of figures, subtract, and do a little multiplication work. Then she has to do a few questions in geography. We consider geography very important. Being a mail order house we would like an employee to know whether the climate of Florida at this time of the year is different from that of North Dakota. What is the capital of Pennsylvania? Name four of the largest states in the United States? Name five states that border on the Atlantic Ocean. Those are sample questions in geography. Fifty per cent. of the people who stand that test pass. Twenty per cent. are partial failures. Thirty per cent. are total failures and are not taken on.

Q. These are all supposed to be public school graduates? A. All supposed to be public school graduates and some of them have been through the high school. Now this particular girl says the capital of Pennsylvania is Pittsburgh. She named four of the largest cities in the United States as New York, Boston, Philadelphia and Paterson. She was unable to name five states that border on the Atlantic ocean. I could give you any number of

things of that kind to show the difficulty that an employer in this city has to contend with. Here is one girl who named the four largest cities in the United States as New York city, Pennsylvania, Chicago, St. Louis and California.

Q. Was this girl a graduate of the public school? A. I will look at her record. Her name is Miss F. Age at last birthday, seventeen. Attended public school No. 37. Did you graduate? Yes, and also attended the evening high school.

Q. Did she say how long she was in the evening high school? A. No, but she graduated from the public school. She had had three other positions before coming to us.

Q. How long had she been working? A. Apparently she took her first position in March, 1912.

Q. When was the examination? A. On January 20th.

Q. Of this year? A. 1915.

Q. That is two days ago? A. Yes, sir.

Q. And did she pass the examination? A. I think I can tell you that. She got nineteen on penmanship, twenty-eight and a half on spelling—

Q. Nineteen and a half out of a hundred? A. No, they are graded in this way: Penmanship they are rated twenty per cent., spelling twenty, arithmetic thirty, geography twenty. This girl's penmanship was very good. She got nineteen, spelling twenty-eight and a half out of thirty. Arithmetic twenty-four out of thirty, but on geography she got only fourteen.

Q. Did you investigate to find out why she was so poor in geography? A. I don't know.

Q. Would you mind letting me have those papers? A. Yes, sir. Now, I have another one here, you probably would be interested in. This girl graduated from public school 63, Miss U. She was fairly good on penmanship. Her spelling was very poor. She was excellent on arithmetic, but on geography she was very poor.

Q. Now, after they pass this examination and are employed, what do you do with them? A. They remain in the school.

Q. In your school? A. In our school from one week to three months. They don't spend all the time in the school. They are probably given from one to two hours per day in the school, and the balance of the time—

Q. That is at your expense? A. At our expense entirely.

Q. Nothing is deducted from their pay? A. Nothing whatever. The balance of the time they spend in the department learning the practical part of the work. They get the theory in the school.

Q. Then they begin this work at six dollars a week? A. Yes, sir.

Q. While they are being taught? A. Yes, sir. The school works in another way. I will explain just how a girl will go through the school and how she will make progress in the business. She might go into the school, study and become a file clerk getting six dollars a week. If she was ambitious she would have an opportunity to learn order writing, which would pay her eight dollars a week.

Q. How long would it take to get from the six to the eight dollar class? A. If she really wanted to she might get into the eight dollars class as soon as there was a vacancy, as soon as she could equip herself.

Q. In a few weeks? A. In a few months, if there were an opening in the audit department, she could go to school to fit herself to apply for a position in the audit department. She is told to equip herself for the vacancy, so that she will be ready to go on.

Q. Do you allow her to do that? A. Yes, sir, but with a certain amount of judgment and discretion. She could not do that during the very busiest times. That is regulated.

Q. Now, Mr. Rosenbaum, I suppose you do these things because you find it to be a paying proposition? A. We find it to pay. We need efficient people.

Q. It is not done from philanthropic motives but from efficiency motives? A. Altogether.

Q. Now, the Commission has been hearing a good deal of discussion on this question, pro and con, as to whether or not there should be some legislation fixing minimum wages or providing for a board which would fix wages in certain trades for women and minors; now as a business man, what is your opinion on this subject; should the State interfere at all? A. We are not opposed to a minimum wage. The best evidence of that is we have established our own minimum wage, but it must be handled with

great judgment and discretion. I think Professor Hammond answered that question in the best possible way.

Q. You agree with his views? A. I agree with that part of his views in which he said he believed in the establishing of a wages board.

Q. Would you be in favor of a wage board with power to fix the wage in different trades where women and minors were employed — of course after investigation — this board having upon it representatives of both employers and employees and outsiders? A. I agree with Professor Hammond. I do not see the necessity of outsiders. I think there should be a board of employers and employees with a chairman. We have a very complicated situation in New York. The situation is vastly different from what it is in Oregon, and the thing would have to be handled with a great deal of judgment. I am not prepared to say that it would do unalloyed good. It might work hardship.

Q. In what way would it be good, and in what way would it work hardship? A. Well, from the standpoint of the employee, I believe that a great many of them would lose their positions. Of course, it would depend somewhat on where the minimum was fixed. When we advanced our minimum — we have not had this minimum of six dollars all the time — twenty years ago we paid probably as low as four dollars, but it has been a gradual advance, and when we advanced the minimum to six dollars, it did not mean that we took five dollar people and gave them six dollars unless they were capable of earning six dollars.

By COMMISSIONER DREIER:

Q. What are your tests? A. We have tests, we have opportunities of finding out just how they are fitted for filling any particular position.

Q. I would like to ask you in connection with your business what the opportunity for advancement is; you say a girl can become a filing clerk, and then can become an order writer; how far up the scale can she go? A. She can become a correspondent and earn as much as eighteen dollars a week. After that if she has a liking for merchandise and can become a buyer or assistant buyer, or selector of merchandise she could go as high as forty or fifty dollars a week.

Q. How many of your employees have gone as high as eighteen dollars? A. I can't answer that exactly. I don't know how many correspondents we have, but there are other positions, other than correspondents that would pay that salary.

By Mr. ELKUS:

Q. Mr. Rosenbaum, among one of the papers you were kind enough to hand me, Miss B., I note the following: She says position applied for, anything. Salary desired six dollars per week. Age last birthday, seventeen. Attended public school 159. Night school, Harlem, two years. Are you married, no. How many in your family, seven. How many are entirely dependent on you for support? Seven. How many besides you are earning wages? No one. Do you live with your family, or relatives, or board? Family. Did that girl receive employment—did she pass the examination? A. No, sir. You will notice here she was totally unable to spell.

Q. What percentage did she get for spelling? A. Thirty we allow for spelling, and she got nineteen and a half. She gave the capital of Pennsylvania as Philadelphia. She was very poor in arithmetic. She did not get a position.

Q. She had never worked before? A. Apparently not.

Q. Did you ever inquire how she was going to support this family of seven on six dollars a week? A. No; we didn't employ her.

Q. You would not employ a girl that was in that position? A. No.

Q. We would be very glad to hear anything further that you have to tell us, Mr. Rosenbaum, anything about your system, what you do, what you think would be of benefit to the Commission? A. We find our employees are ambitious in a sense. They are anxious to earn more money, but we find very few that care to make the sacrifice in order to improve themselves. They will not study, as a rule, and we have to make their attendance at our school compulsory in a very large sense.

Q. You cannot give us any idea of how many new girls you dismiss during the year out of your three thousand—you have to take on new employees every year, do you not? A. Yes.

Q. You don't know how many women have remained with you a long time? A. We endeavor to dismiss only the inefficient ones. After an employee has been with us three or four months we can get an idea of her ability, probably a better idea than these tests will give you. If they are efficient, we endeavor to keep them permanently. If they are not efficient, we let them go.

Q. You don't know what proportion? A. Not a very large percentage, although I should say it may be as high as fifteen per cent.

Q. Whom you keep? A. Oh, no; discharge; we keep eighty-five per cent.

Q. When you advertise for girls to begin, do you advertise for high school graduates? A. Frequently. It would depend somewhat on the position. Sometimes we may need girls to fold circulars. We would not necessarily want a high school girl for that, although we never take a girl into the place with the idea she is going to remain in that position. A girl coming in to fold circulars would have to take that educational test, because if she is only ambitious to fold circulars we don't want her.

Q. Mr. Rosenbaum, do you find your employees give you better service if they receive a wage which enables them to live decently? A. Yes, sir.

Q. In other words it is a paying proposition from the employer's standpoint to pay living wages? A. It is with us. We find it so.

Q. As I understand, your business is very profitable? A. We find it to be a good business. The matter of education. I saw a very good example of it some time ago, and it touches upon what Mr. Brandeis said about the Filene store, department store, one of the best in the country. I went in there a short time ago and a young man waited on me. He was the best glove salesman I met anywhere. He knew gloves from the beginning to end. I went in to buy a pair of gloves at a dollar and a quarter and he sold me a two dollar pair of gloves. He rendered a triple service, a service to the firm because he made the larger sale, to me because he sold a better article, and he rendered a service to himself.

Mr. BLOOMINGDALE: Was he a ten dollar man or a six dollar man getting ten dollars?

Mr. ROSENBAUM: He was more than that. He was probably an eighteen dollar man.

Q. When Senator Wagner is here he always asks this question: Does an increase in wages mean an increase in efficiency? A. That doesn't always follow. When we raised our minimum to six dollars we did not find it possible to keep all these people. We had to drop some. We kept those capable of being developed.

Q. What becomes of those who are dropped? A. We don't know.

Q. You never follow up the girls whom you refuse to give employment to? A. No, sir. It is impossible to do that. You cannot make an employee efficient by raising the wages from six dollars to ten dollars unless the fundamentals are there.

By Commissioner DREIER:

Q. You think the public school could perform its functions much better? A. There should be some point of contact between the public schools and the business activity.

By Mr. ELKUS:

Q. I understand that the public schools are asking employers if they will permit graduates of public schools to go into their establishments to be there taught the business with the co-operation of the Department of Education. I understand that is going on with the view of finding out what can be done? A. They are doing something of that sort. I think I mentioned the Board of Education had two teachers in our schools.

Q. Now, isn't it a fact, Mr. Rosenbaum, that these employees of yours should not have to be taught these things which you are teaching them in your schools? A. They certainly should not have to be taught these elementary things. We expect to teach them our own work. The school is largely for the purpose of teaching them our own work. This other work is incidental, and it is forced on us because the applicant herself has not increased her opportunity.

Q. Why couldn't they teach filing in the public schools? That is one of the things you teach them to do? A. Yes; but speaking of filing in cabinets there are comparatively few who can afford

to employ filers only. If they could come to us and write a good business letter, that would be the greatest thing.

Q. You mean if they could read and write English? A. Yes, sir.

Q. And if they knew arithmetic and geography? A. Yes, sir.

Q. Generally, what they used to call the three R's? A. Yes, sir.

Q. How many of those girls have you at the present time in the school? A. Five hundred and seventy.

Q. How many are new employees? A. Probably one hundred and fifty or two hundred have entered our employ in the past two months.

Q. And the others are studying to be advanced from one grade to another? A. Yes, sir.

By Commissioner DREIER:

Q. How often do these employees get the schooling? A. Every day. Some employees get an hour a day and some two hours a day. They work only eight hours.

Q. That is included in the eight hour time? A. That is included in the eight hour time. It is all done in our time and at our expense.

By Mr. ELKUS:

Q. I am asked to ask you why it is necessary for you to employ two or three hundred employees in one month; where do the others go; is it because you have increased your business? A. Yes, our business is a growing business. We have recently added some new buildings, but, Mr. Elkus, it is always necessary at the end of the season to drop out some people. You can put them through all the tests and all the schools you want to and some will prove inefficient.

Q. In other words, in every business there are some who are discharged during the course of the year? A. Yes, sir.

Q. For one reason or another that seems proper to the employer? A. Yes, sir. The school does this for us, also — frequently a girl may be working in the cashier's office. She may have no taste for that kind of work, and from the standpoint of the head of that

department she is a failure, but she might be very good as an adjuster in the audit department. She might work out very well as a stenographer, and she is given that opportunity. The school is supposed to find that fact out and give her an opportunity.

Q. Who finds that out? A. Well, she ought to help somewhat. She would know that she is not doing very well in the cashier's department. The head of that department would naturally know it. He should say, Now, Miss A —, you are not doing very well here; isn't there something else in this business you could do better? We have had cases of that kind. We can always place them. The school has a tendency to do that.

Q. Before you discharge them you try to place them in a department where they will be efficient? A. Yes, sir.

Q. And usually you give them two or three trials? A. Yes, sir.

By Commissioner McGUIRE:

Q. When did you increase the minimum to six dollars, Mr. Rosenbaum? A. I think it was about two years ago, two or two and a half years.

Q. What was it prior to that time? A. Five. It has been five for a great many years.

Q. You think there would be very great difficulties in establishing a State-wide minimum? A. I certainly do. Do you mean by that an arbitrary minimum?

Q. Through legislation, say, rather than by the wage board? A. I certainly do. A girl working in Olean, New York, can certainly afford to work for less than one working in New York city, or if you put it the other way, it costs the girl there less to live than it does the girl in New York city.

Q. You have three thousand employees? A. Yes, sir.

Q. If there should be a minimum fixed in New York city of ten dollars, how would that be reflected in your pay roll? A. Do you mean by that how much it would add to our pay roll?

Q. Yes. A. I couldn't tell you that; that would need quite some calculation.

Q. It would not add sufficient to justify you changing your location? A. No, sir; not in our case. We are tied down by having a pretty large plant.

Q. In your opinion, would it in smaller plants? A. I think it would. I think any such minimum wage as ten dollars would drive a tremendous volume of business away from the State.

Q. Then it is your practical opinion, from practical experience, that if a ten dollar minimum were established here in New York, and there were no minimum in New Jersey, for instance, it would drive many people out? A. I think so, yes; but there might be a way of establishing a minimum wage that would not drive away business. If you made the minimum ten dollars I should think it would.

Mr. ELKUS: An arbitrary minimum?

Mr. ROSENBAUM: Yes.

Q. But you think six dollars for the class of work you describe is a fair minimum? A. Yes, we think it is fair. We do not pay people that wage longer than we can help.

Commissioner DREIER: You consider them apprentices?

Mr. ROSENBAUM: Yes; somewhat. I mentioned that less than 10 per cent. of our people got that rate.

Mr. ELKUS: You said 5 per cent.

Mr. ROSENBAUM: I said five and possibly ten, but not more than ten. Ten is the outside.

Commissioner McGUIRE: Do you think a minimum wage law is desirable for New York State?

Mr. ROSENBAUM: If you are to have a law, I think the kind Professor Hammond indicated would be the best method.

By Mr. ELKUS:

Q. These girls who receive six dollars a week are all young girls, sixteen or seventeen years of age? A. We have none under seventeen.

Q. Would you say they are practically all under eighteen? A. No; I wouldn't say that. There might be a case where a young woman of nineteen or twenty would come in and want to start working.

Q. The majority are? A. The majority I think are those who have recently left school.

Q. I am asked to ask you this: How do you protect yourself against employees availing themselves of the opportunity to study at your expense while in your employ and then leaving to go into some other employ? A. The only way we protect ourselves is by having such conditions and such surroundings that they would rather work for us than for someone else.

Q. You offer more advantages in the way of promotion? A. Yes, and in other ways. We try to offer them attractive places to work, and if our competitors offer them more is no reason why they should not get them.

Q. You do a great deal of welfare work? A. Yes, sir.

Q. You have recreation rooms? A. Recreation rooms, lunch rooms, rest rooms, a welfare secretary,— we try to look after them as well as we can.

Q. Do you amuse them? A. In a limited way. During lunch hour they have a pianola, talking machines and dances.

Q. Would you object to your employees being organized? A. A part of our employees are organized. In our manufacturing department we deal with the tailors' union.

Q. Do you find it to your advantage or desirable? A. We do not particularly find it either to our advantage or disadvantage. We never had any difficulties with our employees, even with the tailors. During an experience of twenty-six and one-half years we have had only two strikes with our tailors. You know tailors in most places go out on strikes twice a year and the two strikes that we have had, that was when there was a general strike in the trade. Otherwise we have not had any trouble with them.

MANFRED W. EHRLICH, Esq., addressed the Commission:

By Mr. ELKUS:

Q. What is your profession? A. I am a lawyer.

Q. And you have studied some phases of this wage question? A. Yes, sir.

Q. We would be very glad to hear you, Mr. Ehrlich? A. There is only one point I care to make, and that is the argument is frequently made — I have heard it made at these hearings, and I

have heard it made elsewhere — that the State, by compelling the employer to pay a living wage, compels the employer to give the employee the difference between the living wage and what the employee earns — that is, he is practically making a present to the employee of the difference between the minimum wage and the value of the work he produces — apparently on the assumption that the wages that are paid at the present time are the measure of what the work is actually worth, what the value of the work that he does is worth. I think that that assumption is altogether incorrect. There is no way of determining what is the value of the work involved in making a button-hole or in sewing a seam on a garment, or in pasting a label on a box or a can, or perhaps in merely carrying a box of materials from one end of the factory floor to the other. You cannot arrive at the value of the labor by considering the selling price of the finished articles because the selling price of the finished article depends very much upon the labor cost and that is merely a circle. You cannot determine the value of labor by the law of supply and demand, which is what fixes prices at the present time, because the law of supply and demand only fixes prices — it never fixes values. I think that is true not only for labor but for everything else. If you will conceive of a market which can absorb say nine carloads of a particular article, or a perishable article, and if ten carloads should happen to go into that particular market when it can only consume nine, the law of supply and demand, which means the sellers bidding against each other, would very likely drive the prices down, so that the price of ten carloads would actually be less than the price of nine — that is disregarding the fact that one carload would go to waste altogether. The law of supply and demand would fix the price of ten carloads at less than nine. The same condition exists in the labor market. If you can conceive of a community which is employing whatever labor there is there, where there is a fairly balanced demand for the amount of labor, and there is no excess of labor, and at the same time there is enough labor to go around and they are all employed at a fair price, an increase of ten per cent. — that is, I mean the unskilled labor — in the class where they are bidding against each other, a slight increase means that those that are un-

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able to get employment at the prevailing rate of wages will go about offering their services for less, and they will displace other employees, who, in turn, will offer their labor for less, and displace still others, until it will get down to the point where we are now, the point where in a great many cases the wage that is paid is just a little above the starvation line, if it is there. Now, the product of that labor is worth just as much as it was when the higher wage was paid. That is, if we disregard the fact that the labor will be less efficient when it is underpaid — of course if it is going to be admitted that the difference in the cost of labor, the difference in the price of labor represents the difference in efficiency, then there is nothing further to be said in support of the living wage. The case is established. But if you disregard that fact, if we assume that the labor is just as efficient as it was before, the employees that are employed are producing exactly as much as they were before but they are being paid a great deal less and the law of supply and demand has cut prices, it has not cut values.

Now, the point I wish to make is merely that when the opponents of minimum wage legislation maintain that the establishment of a minimum wage will compel the State to pay a living wage regardless of what the employee may actually earn, regardless of what may be the value of what the employee produces, the answer is that the present conditions tend to establish a starvation wage regardless of the fact that the employee may actually earn a great deal more.

Adjourned to Saturday, January 23rd, at 10.30 A. M., for the purpose of holding an executive session, at the office of counsel, 170 Broadway.

Adjourned to January 23rd, at 10.30 A. M.

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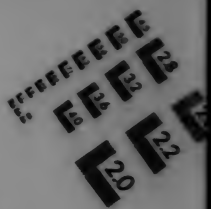
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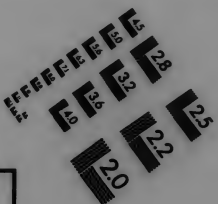
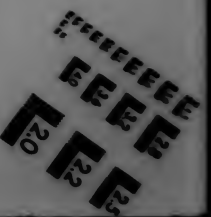


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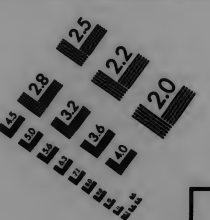
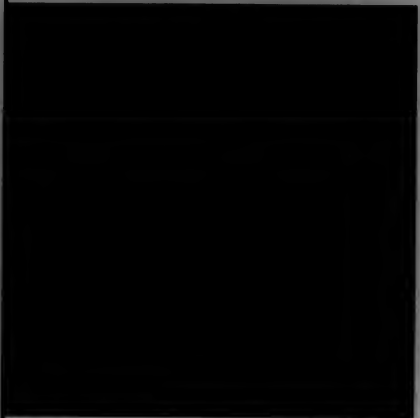
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